

CONTEMPORARY DISPLACEMENT PATTERNS AND RESPONSES:
HAITIANS AT THE U.S.-MEXICO BORDER

by

BRENDA GARCIA MILLAN

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THESIS APPROVAL PAGE

Student: Brenda Garcia Millan

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This thesis has been accepted and approved in partial fulfillment of the requirements for the Master of Arts degree in the Department of International Studies by:

Kristin E. Yarris	Chairperson
Angela Joya	Member
Edward M. Olivos	Member

and

Sara D. Hodges	Interim Vice Provost and Dean of the Graduate School
----------------	--

Original approval signatures are on file with the University of Oregon Graduate School.

Degree awarded June 2018

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THESIS ABSTRACT

Brenda Garcia Millan

Master of Arts

Department of International Studies

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Contemporary population displacement trends are impacting cities located in developing countries in unprecedented ways. This scenario is reflected in the Mexican border town of Tijuana, which from May 2016 to January of 2017, experienced the massive arrival of Haitians seeking asylum in the United States. My thesis addresses the Haitians' patterns of displacement and the actors involved in the migratory processes including governmental and non-governmental authorities in Mexico and the United States. Because of the complexity of displacement today, I argue that in order to comprehend patterns and responses to displacement, it is necessary to use a multi-scalar global perspective that addresses the relationship between time and space as well as the relationship between politics and power. Furthermore, I argue that the Haitian arrival to the U.S.-Mexico border is an illustration of *crisis migration*, which views displacement as the result of a combination of social, political, economic, and environmental crises.

CURRICULUM VITAE

NAME OF AUTHOR: Brenda Garcia Millan

GRADUATE AND UNDERGRADUATE SCHOOLS ATTENDED:

University of Oregon, Eugene, OR
San Diego State University, San Diego, CA
University of Oxford, Oxford, UK

DEGREES AWARDED:

Master of Arts, International Studies, 2018, University of Oregon
Bachelor of Arts, International Security and Conflict Resolution, 2014, San Diego
State University

AREAS OF SPECIAL INTEREST:

International Migration and Refugee Issues
International Human Rights Law and Foreign Policy
Humanitarian Aid and Diplomacy
Foreign languages and Translation
Latin America and Europe

PROFESSIONAL EXPERIENCE:

Graduate Teaching Fellow, University of Oregon, 2015- 2018
Spanish Translator and Interpreter, Eugene 4J School District, 2017- 2018
Bilingual Research Assistant, University of Oregon, 2016
Coordinator of K-12 Volunteers, AmeriCorps VISTA, 2014-2015
Immigration Department Intern, International Rescue Committee, 2013-2014

GRANTS, AWARDS, AND HONORS:

Fulbright English Teaching Assistant Award, Spain, 2018

MHIRT Latino Mental Health Research Training Program, University of Southern California, 2018

CLLAS Faculty-Collaborative Grant, University of Oregon 2017

Tinker Field Research Grant, University of Oregon, 2017

Center for the Study of Women in Society Grant, University of Oregon, 2017

Thurber Award, University of Oregon, 2016

Graduate Promising Scholar Award, University of Oregon, 2015

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To the memory of my grandmother Elisa Millán

Para la memoria de mi nana Elisa Millán

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CHAPTER I

INTRODUCTION

Emigration is a natural fact and an inescapable necessity - Juan Bautista Scalabrini.

On May 26 2016, a delegate from the Mexican Office of National Migration called the Director of Tijuana based migrant shelter Casa del Migrante, Father Pat Murphy, for an emergency meeting. At the meeting, the delegate informed him that a large group of asylum seekers from Haiti had arrived to the Tijuana-San Diego border hoping to request asylum in the United States. Murphy explained that, within hours, there was already a line of more than four hundred people outside the US immigration facilities on the Mexican side of the border. Because nobody was allowed to enter US territory, hundreds of people, including women and children, were forced to remain in Mexico for an indefinite period of time. Father Murphy claims this event marked the beginning of a refugee humanitarian crisis in Tijuana.¹

As contemporary global population displacement trends reach an alarming record of 65.3 million displaced people, urban centers in developing nations are being impacted in unprecedented ways.² The majority of the world's urbanized centers are located in North America and Latin America. Due to their geographic location, some of these regions are important centers of both transit and settlement for thousands of people who leave their places of origin in search of security and better economic opportunities. This scenario is reflected in the city border town of Tijuana, Mexico.

¹ Migrantes: Revista de Informacion Pastoral y Migratoria. April-June 2016. Retrieved from <http://www.migrante.com.mx/uploads/4/6/9/5/46959225/rev.abril-junio.16.pdf>

² UNCHR (2015). Global Trends: Forced Displacement in 2015.

Tijuana has always been a migration hub whose history has been shaped by migrants from other parts of Mexico and immigrants from across the world. Tijuana's history and its location (Figure 1) as the North-western-most city in Mexico and Latin America, in addition to its position in the most-transited border in the world, make it a perfect location for the study of contemporary population displacement.



Figure 1. Border Cities Map. Source: The Dallas Morning News.

Due to its geographic position, Tijuana not only receives people looking for better life (internal migrants) opportunities in Northern Mexico, but also takes in people seeking the so-called American Dream (migrants and asylum seekers), and even those who are expelled from the United States (deportees.). According to the International Organization for Migration (IOM) (2015a), Tijuana is one of the major reception regions of transit and returning migrants from the United States. It is estimated that Tijuana receives 80 per cent of all migrants returning to the State of Baja California, from the United States (IOM, 2015 b). Consequently, governmental and non-governmental actors are challenged with the responsibility to protect those people who transit through Tijuana.

In witnessing some of these processes as a researcher and volunteer, I became interested in the issues involving the role of different actors in the response to the massive arrival of Haitian displaced people to Tijuana. Between July and September of 2016, I volunteered at the Catholic-based migrant shelter *Casa del Migrante* located in Tijuana. During that time, I observed how non-governmental organizations struggled to manage the unexpected arrival of Haitians who had crossed several countries to seek asylum in the United States. Previous to their arrival to Tijuana, most Haitians had been forced to migrate to Brazil following the 2010 earthquake that destroyed Haiti's capital. As one of the few volunteers who spoke French, I spent most of my time conducting entry surveys to Haitians who were offered temporary refuge at the migrant shelter.³ The day I arrived at Casa del Migrante, there were about 30 people outside waiting to receive shelter and food. My first day at the shelter coincided with the last day the Mexican Institute of Migration (INM) relief group *Grupo Beta* offered transportation services to asylum seekers to and from the border to the migrant shelter (approximately 3.5 miles apart), claiming that "they did not have the capacity to give rides to everyone and that if they wanted to go to the border, they had to do it by themselves".⁴

My fieldwork at the shelter involved a daily commute between Tijuana and San Diego. During my border crossings, I would have conversations with U.S. Customs Border Patrol (CBP) agents, who would ask skeptical questions about the situation of

³ Shelter is offered on a capacity basis of 150 people a day. Depending on the influx of people, there were days in which no one would be admitted to the shelter as there were no rooms available for incoming guests.

⁴ Both *Grupo Beta* and Casa del Migrante volunteers and Director Pat Murphy had been giving rides to Haitians and Mexican Internationally Displaced People from the border to the shelters.

displaced Haitians who requested asylum in the United States⁵. I observed how average residents shared diverse opinions on the arrival of Haitians to Tijuana during a return visit to my field site. From December 2016 to January 2017, I witnessed how U.S. immigration authorities would delay asylum appointments to Haitian people, which forced them to remain in Mexico and pushed them to join informal jobs in local food markets and other sites in Tijuana. Along with these observations, I met local Tijuana residents whose families had temporarily adopted Haitians into their homes, in an act of solidarity towards their displacement.⁶

In addition to these face-to-face interactions, I followed the coverage of local, national, and international media on the case of the Haitians in Tijuana. Through headlines that emphasize the unusual number of Haitians and other foreigners who have arrived to the Tijuana- San Ysidro border since May of 2016, the media portrayed the story of these individuals as an unusual migration phenomenon. Yet, the arrival of the Haitians to Tijuana reflects the plight of millions of displaced people across the globe who have been forced to leave their places of origin in search of better life opportunities including economic stability and security.

This thesis examines the massive arrival of Haitian people to the US-Mexico border as a case study that exhibits the international community challenges in addressing the contemporary patterns of forced migration. It provides the background of the Haitian displacement starting from the post-disaster migration to Brazil in 2010. It overviews explanatory theories of international migration by recognized scholars from different

⁵ These conversations took place at the San Ysidro Port of Entry located in San Ysidro, California.

⁶ These acts of solidarity occurred at a point in which migrant shelters like Casa del Migrante had run out of capacity to offer refuge to the displaced people.

fields. Finally, it analyzes the role of the local, national, and supranational actors involved in the displacement of Haitian people. Drawing from an interdisciplinary approach involving human geography, international studies and policy analysis, I argue that in order to comprehend contemporary population displacement, it is necessary to use a multi-scalar global perspective that addresses the relationship between time and space as well as the relationship between politics and power. As this study will show, the case of Haitians at the US-Mexico border reveals the complexity of contemporary population displacement, which challenges the legal definition of “refugee” and the international response to displaced persons.

By using a multi-scalar approach, I identify how this particular case involving Haitian displacement has resulted from a series of failures from the international community, which has overlooked the plight of thousands of Haitian people who had been forced into displacement since the 1960s. As a consequence of these failures, urban centers in developing countries- in this case Tijuana, Mexico- have had to cope with the responsibility of dealing with a major transnational issue. According to the Colegio de la Frontera Norte (COLEF)⁷, Tijuana received an estimated influx of 15,000- 20,000 Haitians between May and December of 2016. Tijuana’s positioning as a city in a developing country resulted in mixed responses from local, state, and international actors including governmental and non-governmental organizations.

⁷ Frontera Info. Entre 15 mil y 20 mil Haitianos llegaron a BC: Colef.
<http://www.frontera.info/EdicionEnlinea/Notas/Noticias/27032017/1194979-Entre-15-mil-y-20-mil-haitianos-llegaron-a-BC-Colef.html>

Research Process and Objectives

Prior to developing my investigation, I conducted participant observation at the migrant shelter Casa del Migrante located at the neighborhood Colonia Postal in Tijuana, Mexico. During the first stage of my fieldwork, I spent 10 weeks between July and September 2016 volunteering and performing multiple tasks including surveying recently arrived Haitian males at the shelter, leading asylum information workshops, translating asylum application guidelines from Spanish to French, and helping other volunteers at the shelter's kitchen. Through these various tasks, I witnessed the desperation and confusion of Haitian people who traveled thousands of miles to reach the US-Mexico border without a clear plan of action on how to present their asylum cases. At the same time, I observed the complexity of the humanitarian response of a major local organization to the massive arrival of an unfamiliar population. My observations also took place in the downtown area of Tijuana, where I witnessed the informal incorporation of Haitians to the local economy, as well as the role of local food vendors who facilitated this incorporation.

Participant observation took place at the border crossing point of the San Ysidro Port of Entry, where I had conversations with U.S. border agents, who provided a particular perspective on the arrival of Haitians to Tijuana. I also used data from the Casa del Migrante entry surveys, which provide a profile of the Haitian people including reasons for migration, money spent on their trajectory from Brazil to the US-Mexico border, and means of transportation. On this thesis, I particularly use data that shows the number of asylum seekers who arrived to the Casa del Migrante in 2016, and I expect to use the remaining data on future articles.

In examining the local, national, and international, governmental and non-governmental, responses to the case of Haitian displacement, I became aware of the politics of asylum and humanitarianism across different nation states. Hence, this thesis also provides a comparative analysis of the asylum policies in the Western Hemisphere (the Americas) with a focus on Brazil, Mexico, and the United States. The purpose of this analysis is to estimate how geopolitics plays a role in the contrasting asylum policies of different states. On one side, Brazil and Mexico are two countries in the so-called Global South, which, through the Cartagena Declaration of 1984 and other Plans of Actions like Mexican Law of Migration 2011, have officially committed to assist vulnerable displaced populations in the region. Meanwhile, the U.S. implements a restrictive immigration policy that complicates asylum processes to millions of people.

Through the combination of ethnographic, historical, and policy analysis, my research aims to answer four main questions:

- How does the case of Haitian asylum seekers at the US-Mexico border point to the limits of our understanding of contemporary population displacement and the categorization of “migrants” and “refugees”?
- How does the intersection of politics and power affect the international response to asylum seekers?
- What are some of the consequences of these responses for the asylum seekers and the localities that receive them?
- To what extent is global population displacement a political crisis and not merely a humanitarian issue?

Through these questions, my study seeks the following objectives:

- To understand the structural changes that led to the massive displacement of Haitians from Haiti to Brazil and their settlement in Tijuana, Mexico.
- To identify the multi-scalar influences, local, national, and supranational actors involved in the processes of contemporary global displacement.
- To determine what made this case a “refugee crisis” as explained by civil society authorities in Tijuana.

Research Methods and Participants

After formulating my research proposal in December 2016, I traveled to Tijuana and spent a month conducting participant observation at Casa del Migrante. While the number of Haitian asylum seekers found at the shelter – and overall in Tijuana- had decreased, their presence continued to have new developments. During a *posada* (Mexican Christmas party), I had conversations with Haitians who had settled in Mexico, as their hopes to receive asylum in the United States faded after to the election of Donald Trump. This scenario was different from what I had witnessed over the summer, when everyone expected to go to the U.S My research plan focuses mainly on Mexico’s and the United States’ responses to the arrival of Haitian people to Tijuana, as I considered it important to analyze how the international community responds to displaced populations fall outside the legal framework of refugee protection.

I received approval by the University of Oregon Internal Review Board (IRB) on May 12, 2016. The selection of participants was based on the level of expertise and

significance of the participants' role in the response to the arrival of Haitian asylum seekers. First, I selected Father Pat Murphy to participate in my study due to his leadership and involvement in the management of Haitian asylum seekers in Tijuana. As head of the migrant shelter Casa del Migrante, Murphy was one of the first NGO leaders to respond to the massive arrival of Haitians and other foreign asylum seekers at the Tijuana-San Ysidro border. I interviewed Murphy during my last trip to Tijuana on July 4th, 2017. During the interviews, I asked him questions regarding his views on the arrival of Haitians to the border. I was particularly interested in learning from his testimony, in particular, his perception of the presence of Haitians in Tijuana as a humanitarian crisis. The semi-structured interview took place at Murphy's office located at Casa del Migrante. The questionnaire used for this interview is located on Appendix A of this thesis.

The second participant selected for this interview was the Director of Tijuana's Binational Center for Human Rights and San Diego State University Professor Victor Clark-Alfaro. Due to his position at the Binational Center of Human Rights, Clark-Alfaro has constant communication with asylum seekers, migrants, members of the Mexican Institute of Migration, as well as the US consulate in Tijuana, local press, and shelter leaders. Hence, Clark-Alfaro's account was very important for my study as it provided a testimony of the local response of both Mexican and US authorities to the arrival of Haitian asylum seekers in Tijuana. The questionnaire for this interview is attached on Appendix B. Some of the questions include opinion on the local state response to the management of Haitian people in Tijuana. The interview took place last July 2017 at Clark-Alfaro's office at the Binational Center for Human Rights.

Regarding the testimony of Mexican state authorities, I selected the Director of the migrant rescue group Grupo Beta, which played a significant role in the management and control of the influx of Haitian people to the San Ysidro port of entry, where they would have request asylum interviews with US immigration authorities. Unlike the two previous participants, I had not met the director of Grupo Beta prior to the interview. I recruited him for this study through a phone call conversation I had with him a week before the interview. Because of bureaucratic issues, the director asked me not to reveal his personal name in this study. Some of the questions asked address the coordination between Tijuana and US authorities in the management of Haitian asylum seekers. The questionnaire used in this interview is located on Appendix C of this study. This interview was conducted at the headquarters of the Mexican Institute of Migration in Tijuana on July 2017. The interview lasted about an hour and was audio-recorded. The name of Grupo Beta director will remain anonymous in this study as accorded during the interview.

Limitations of Study

A major limitation I encountered while doing this study is the lack of precise numbers regarding the arrivals of Haitians to the city of Tijuana and to the country of Mexico in general. After searching statistical information in the online pages of the Mexican Institute of Migration and the Mexican Secretary of Governance (SEGOB), I could not find any actual numbers that illustrate the arrival of these individuals. As an example, the monthly reports of migratory statistics in the SEGOB⁸ website does not

⁸ The latest SEGOB report from October 2016 however, shows that Congo was the main country of origin of non-Central American individuals who had presented events with Mexican migration authorities. This

provide any information regarding Haitians in Mexico. I found this fact interesting as it implied that either there were no records or the government was not ready to disclose those numbers. For this reason, the statistics I use to address the arrival of Haitians come mainly from newspaper sources. The lack of accurate numbers certainly challenges the analysis of this case, however, it also offers space for debate on why these numbers have not been exposed.

Another limitation of this study has been the accessibility to shelters. While I was able to connect with Casa del Migrante, the nature of the shelter allows scholars and volunteers like me to visit the shelter and engage in different activities. It is no coincidence that other scholars (Manenti, 2002) have been able to conduct research at this shelter. However, when trying to reach out to other shelters in Tijuana I encountered the suspicion from personnel while talking on the phone. While trying to reach out through emails I would not get responses. This is the main reason this study centers on the role of Casa del Migrante, where I was welcomed both as a volunteer and also as a researcher.

In addition, reaching out to local authorities was complicated. My first approach to the Mexican Institute of Migration located in Tijuana, Mexico was through a phone call where I tried to reach out to the state delegate of migration. Because of the inaccessibility of the delegate, I decided to contact the director of Grupo Beta, who not only was more accessible but had more hands-on experience on the issue. As a matter of fact, Grupo Beta was the first government agency to respond to the arrival of Haitians to Tijuana.

fact is interested as I found out that many Haitians at the shelter Casa del Migrante revealed they had about their nationality and told Mexican authorities they were originally from Congo.
Source:http://www.politicamigratoria.gob.mx/work/models/SEGOB/Resource/2474/2/images/RMEM_octubre_2016.pdf

Scope and Organization of Thesis

In Chapter II, I review important literature that I use as theoretical foundations for this study. Due to the multi-layer scope of this case, I divide the literature review in three parts. First, I review literature on theories of international migration. Through this brief overview, I attempt to outline the basis of the understanding of the causes of population mobilization. My goal is to provide context on the responses to contemporary population displacement. Next, I present the concept of *crisis migration*, which refers to the population movements that result from a series of crises as in the case of the Haitian people. The concept of crisis migration was first introduced by the Institute for the Study of International Migration in Georgetown University. In this chapter, I also address the multi-scalar global perspective on the relationship between migration and localities. I use the multi-scalar global approach in chapter III to analyze the series of events that have led to the Haitian diaspora across the Americas. Also in this chapter, I elaborate on the discourses of migration and how these lead to the categorization of refugees and migrants. I conclude this chapter with an overview on the question of responsibility to protect refugees.

In Chapter III, I provide historical context in relation to the Haitian diaspora by using a multi-scalar global approach to these events. I look into the political, social, and natural factors that have resulted into the displacement of thousands of Haitians outside of Haiti. Through this review, I intend to expose the plight of the Haitian people and demonstrate that their displacement is the result of what Parenti (2005) refers to as a *catastrophic convergence*. At the same time, I overview the role of different actors involved in the displacement of Haitian people including the United Nations and Brazil. I

also provide a context of the historic relationship between the United States and Haiti. Through this overview, I pay a particular focus on the U.S. response to Haitian asylum seekers

In Chapter IV, I provide the background history of Tijuana as a border town which is heavily influenced by U.S. policy. In Chapter V, I present and analyze of the response of local, state, international government and non-governmental actors to the massive arrival of Haitians to the US-Mexico border between Tijuana and San Diego I emphasize the key role of shelter Casa del Migrante in providing humanitarian assistance to Haitian asylum seekers. I provide testimony from the shelter's director Father Patrick Murphy. I also provide testimony from the director of the Binational Center of Human Rights and San Diego State University professor, Victor-Clark Alfaro who is an expert on border issues and who has provided legal advice to Haitian asylum seekers. In addition, I include the testimony of the director of the migrant rescue organization Grupo Beta, which is part of the Mexican Institute of Migration. This chapter also includes notes on participant observation and my testimony on interactions with U.S. border patrol agents.

Finally, chapter VI, provides concluding remarks where I address the implications that my study has for research and for policy. In this section, I explain how this research contributes to the literature on international migration while also calling the international community for action. I conclude this chapter with a brief discussion on durable solutions for the Haitian diaspora and recommendations for discourses of contemporary population displacement.

CHAPTER II

THEORIES AND DISCOURSES OF MIGRANTS AND REFUGEES

Theories of International Migration

To explain the theoretical context of the international community's responses to contemporary population displacement, the present chapter will first discuss the classic theories of international migration, as well as the theories that elucidate the perpetuation of contemporary migration flows. These theories are important as they provide an overview of the speculations behind the motives of migration and also help formulate a framework that explains governmental approaches towards people who migrate. At the same time, some of these models can help us understand the ways in which non-governmental institutions like Casa del Migrante operate. Next, I will briefly address these theories and cite some of the most important contributors to migration scholarship in the twentieth century.

Massey et al (1993) have exposed the lack of a single coherent theory of international migration, claiming the existence of only "fragmented set of theories that have developed largely in isolation from one another" (432). The authors suggest that the multifaceted patterns of contemporary international migration can only be understood through a "sophisticated theory that incorporates a variety of perspectives, levels, and assumptions" (432). In other words, international migration cannot be addressed by one discipline alone; rather, it is necessary to use an interdisciplinary approach that explains this phenomenon. In this study, I address the contemporary concept of *crisis migration* and propose a multi-scalar global approach to explain the events that led to the arrival of

Haitians to the U.S. Mexico border. Yet, before describing this theory, I believe it is necessary to address different models of international migration theory.

The Neoclassic Economical Theory

The most common theory used to explain international migration is the Neoclassic Economical Theory. As its name suggests, this macro theory focuses on the wage differences between countries, and elucidates that in the majority of the cases, migration is an individual decision based on economic aspirations (Porumbescu, 2015). As a consequence of this type of migration, the supply labor of poor countries falls and wage increase, whereas the supply labor of rich countries increases and wages decrease (Massey et al, 1993). That is, the movement of people has an inevitable effect in the labor markets of both the sending and receiving countries.

It is important to point out that a major assumption of this theory is that the best way for governments to control migration flows is by regulating and influencing labor markets in both the places of origin and settlement of migrants. Based on this theory, all those individuals who leave their countries of origin to find better life opportunities are considered to be “economic migrants”. This fact is problematic as it overlooks the historical context in which the migratory phenomenon occurs. By overlooking the historical and socio-political factors that lead to migration, it is not possible to understand why people move from one specific place to another. Therefore, it is necessary to address the relationship between sending and receiving countries.

The World Systems Theory

While the Neoclassic Economical Theory explains the economic factors leading to migration, other theorists have taken a more historical approach to the construction of international migration. Developed by Immanuel Wallerstein, the World Systems Theory explains that the world is divided in a three-level hierarchy: core, periphery and semi-periphery.⁹ Under this division, the core countries are dominant capitalist nations that exploit peripheral countries for labor and raw materials.¹⁰ In relation to migration, the world systems theory considers migration as an expected consequence of the problems and displacements that are part of the process of capitalist development. Massey (1989) expands this theory by claiming that when the resources of the peripheral countries fall under the control of markets, migration flows are inevitably generated, including the migration of people abroad. For this reason, the fact that capitalism has expanded from core countries in Western Europe, North America, Oceania, and Japan, contributes to the migration flows of people from LDCs. In short, World Systems theorists argue that those countries that experience migration outflows have most likely been affected by capital operations of leading economic powers.

The Neoclassic Economical and the World Systems theories present different arguments regarding the motives of migration. On one side, the Neoclassical Economical Theory credits migration to individual choice based on wage maximization. That is, profit is migrants' ultimate goal. On the other hand, the World Systems Theory looks at the global structures of power and suggests that unequal power relationships among states

⁹ Boundless.com World Systems Theory.

¹⁰ Ibid.

influence individuals' decisions to migrate. In this case, it is suggested that migrants' agency is somehow hindered due to external factors that impact their life choices. While these two theories differ from one another, both theories have similar approaches in that they focus on the initiation of migration – in particular its economic dimensions- and overlook the continuation of the migratory phenomenon. For this reason, it is important to view migration as a continuous and evolving process which is perpetuated by actors and systems that go beyond the migrants themselves. In this case, it is important to acknowledge the mechanisms of the global labor market system.

The Dual Labor Market Theory

Explanatory models of migration are characterized by focusing on the reasons behind people's initial decision to migrate. Yet, other theories approach other aspects of the phenomenon including the perpetuation of migration patterns. Drawing from a sociological approach, the dual labor market theory identifies the existence of two types of labor markets. For one side, the *primary labor market* consists of jobs that are regulated, meaning that employees are protected by legislations that establish adequate fair wages, and benefits such as health care. On the other hand, the *secondary labor market* refers to jobs that are not regulated and typically offer low wages, and poor working conditions (Chomsky, 2007). The dual labor market theory differs from the previous theories discussed, in that, instead of focusing on individual choice, it proposes that international migration is the result of labor demands of modern industrialized countries (Massey et al, 1993). As Chomsky (2007) explains, “inequality works on a region and global, as well as a local level” (p.15). Because of these inequalities, industrial

societies depend on immigrants rather than nationals to operate the secondary labor market. The main proponent of this theory, Piore (1979), summarizes this model by stating that immigration is not caused by “push” factors from sending countries but by “pull” factors in receiving countries. As an example, the United States and its historical dependency on slaves, guest workers and immigrants to run its agricultural system can be perceived as a pull factor of migration.

The reliance on immigrants by industrialized nations opens the debate on the institutionalization of irregular migration. In other words, the fact that receiving countries might depend on immigrant labor implies the existence of a network of agents that facilitate the supply of cheap labor to the “first world”. For instance, Olivos and Sandoval (2015) suggest that global economic and political forces call into play what they described as “Latin America’s *global reserve army of labor*, to meet and exceed U.S. national labor demand to increase capital accumulation” (190). In this case, the concept of global reserve army of labor refers to “a labor force that is created and exists within political and economic networks that encourage transnational migration across borders” (200). In short, the irregular migration that results from the industrialized countries’ need for greater capital accumulation suggests migration is an institutionalized process.

The Institutional Theory

Scholars have attempted to explain migratory flows by depicting migration as an “industry”. Portes and De Wind (2004) associate the cycle of migration to the existence of a “migration industry” formed by a combination of travel agents, attorneys, human smugglers, and document falsifiers. The authors relate the appearance of this industry to

the clash between border enforcement and migrants' mobilization. In this manner, the "migration industry" can be regarded as a network of agents and institutions that facilitate the movements of people across borders. It is important to note that the institutional theory also refers to the institutions that emerge in order to provide support to migrants. As an example, Casa del Migrante in Tijuana surged as a consequence of the movement of people between the U.S.-Mexico border.

While the different theories discussed offer a foundational explanation to migratory processes, contemporary population displacement is more complex than ever. Across the world- as the case of Haitian asylum seekers in Tijuana will demonstrate- population displacement cannot be attributed to a single cause or factor but to multiple events. Thus, the main purpose of this thesis is to propose the need of a modern comprehensive approach to international migration.

Crisis Migration: A Modern View on Displacement

In the last years, recent events including the global record of displaced populations has led researchers to re-conceptualize the causes that affect the movement of people across borders. In this regard, the Institute for the Study of International Migration's Crisis Project has proposed a new phenomenon known as "crisis migration".

¹¹ Crisis migration is defined as "a response to a complex combination of social, political, economic, and environmental factors, which may be triggered by an extreme event but not caused by it" (McAdam, 2014). The interplay of factors leading to crises has been described by Christian Parenti in his book *The Tropic of Chaos: Climate Change and the*

¹¹ The Institute for the Study of International Migration Crisis Project is an initiative by the Georgetown University School of Foreign Service.

New Geography (2012) where he introduces the concept of *catastrophic convergence* to refer to the collision of political, economic and environmental disasters that affect people living in post-colonial states (p.7). In the next chapter, I will use the concept of catastrophic convergence to elaborate on the different factors have affected the country of Haiti and led thousands of Haitians into displacement across the Americas.

Based on this information, the concept of crisis migration suggests that specific events or processes must be identified as only a factor of the processes of a major crisis, which is caused by structural inequalities or issues that push vulnerable people to forced migration. The crisis migration concept also leads to the assumption that people who leave their countries due to the interplay of different drivers may be hard to categorized. Couldrey and Herson (2014) explain that the majority of the people who are displaced as a consequence of diverse humanitarian crises fall outside the existing legal system of protection for refugees. The reason is that many of the crises that forced people into migration are not recognized as deliberate reasons to migrate. On that note, the International Labor Organization (ILO) recognizes crisis migration stating that

“The crises that continue to unfold in regions across the world call urgent attention to the humanitarian, social and economic needs of all refugees and migrants, including migrants who move through irregular means. Deadly conflicts, persecution, extreme poverty, underemployment and high levels of unemployment, drive people in search of safety and protection, decent work and better livelihoods, sometimes exposing them to increased risks of trafficking and exploitation”¹²

While labor is an important aspect of this phenomenon- and certainly a major factor in the mobilization of Haitian people- in the next chapter I will demonstrate that

¹² International Labor Organization. “Crisis Migration” Retrieved from <http://www.ilo.org/global/topics/labour-migration/policy-areas/crisis/lang--en/index.htm>

population displacement between nations involves multiple factors including political power relationships between nation-states, as illustrated by Haiti's relationship with Brazil and the United States.

The theories I have analyzed so far provide a framework for the different causes of international migration. The scope of current displacement trends suggests the need of a new approach that analyses the multiple causes of displacement. As described in the introduction of this study, current migration trends are pointing the direction of analysis from nation states to urban areas in developing countries. In this research, I attempt to explain how the displacement of Haitian people across the Americas and subsequent settlement in Tijuana reflects the need of a multi-scalar global approach that explains the relationship between population mobility and specific localities in the time of neoliberal globalization. More specifically, how has Haiti's position as a fragile state, Brazil's position as regional leader -also politically unstable- in Latin America, and Tijuana's position as a border city affected the movement of the Haitian population? In order to answers these questions, I will apply an explanatory and global approach that looks at the positioning of the different localities mentioned above.

The Multi-Scalar Global Approach

In the last decade, a new perspective on transnational studies has emerged as a result of analyses of the intersection between migration and urban studies in the context of neoliberal globalization. Çağlar and Schiller (2011) argue that "because cities differ in how they participate in and are affected by global trends, the impact of migration varies and must be assessed in relationship to specific localities" (p.2). These authors agree that

transnational migration studies scholars need to re-frame their approach to migration by focusing on a scalar approach that incorporates cities as units of analysis. In this study, I focus on how the city of Tijuana- in particular its NGOs and government authorities- has responded to the massive arrival of Haitian people who seek asylum in the United States.

Schiller (2013) explains that the processual approach to the scalar repositioning of cities can be applied to create a comparative framework for analyzing the association between cities and migrants, but only after clarifying the idea of scale within the analysis. It is important to point out that the idea of a scalar approach comes from a human geography view on *scale* as a form of hierarchy that is not separate or distinct but rather interconnected. In this case study, cities are important units in a hierarchy that involves both supranational actors such as the United Nations and nation-states in which people including migrant populations interact.

The importance of cities as units of analysis has been reflected in recent trends on population and development studies. In 2014, the UN Department of Social and Economic Affairs projected that by 2050, 66% of the world's population will be urban.¹³ The IOM estimates that migration is the main force behind the rapid growth and diversification of cities.¹⁴ As an example, the majority of the growth in the world's population over the next few decades of another 2.5 billion is anticipated to be in urban areas in low- and middle-income countries.¹⁵ For this reason, scholarship on contemporary transnational migration trends need to go beyond the nation- scale and

¹³ UNDESA (2014). World Urbanization Prospects: The 2014 Revision.

¹⁴ International Organization For Migration (IOM) (2015). World Migration Report 2015: Migrant and Cities: New Partnerships to Manage Mobility.

¹⁵ Ibid.

address the particular role of cities in processes of population mobility. Because cities constantly evolve however, a scalar perspective on migration and cities also implies the need of an approach that addresses the structural changes that impact the localities where these populations come from. In the next chapter, I will overview how the structural changes that have impacted Haiti in the last decades, including violent transitions of power, have led to the diaspora of this population.

Çağlar (2007) furthers the argument on the global scalar perspective by claiming that the concept of locality and space have been inadequately addressed in transnational migration studies. Çağlar claims that “in order to examine the dynamics of migrant populations along with the dynamics of cities, scholars need to locate the migrant settlement in relation to the local, national, regional and global circuits of capital accumulation” (1073). In other words, to better understand population displacement, it is important to also examine the rescaling processes that affect migrants’ places of origin and the localities where they transit and settle. For this study, I believed that it was necessary to include the concept of scale to provide a context to the drivers that push Haitians to mobilize from Haiti, to Brazil, to the United States. Likewise, I found it necessary to describe the context on US border and migration control and how this has an impact in the populations that transit through and settle in the city of Tijuana.

As the present international migration trends suggest, circuits of capital accumulation are expanding from global cities in developing countries to urban areas in developing nations located in the Global South. This situation could explain Haitians’ massive departure from a mostly impoverished Haiti to find better life opportunities in an emerging regional economic power of Brazil before coming to the United States.

Therefore, in order to understand this case study, I propose the use of a multi-scalar lens that looks into the positioning of Haiti, Brazil, Mexico, and the United States in the power hierarchies within Western Hemisphere. While making this analysis however, it is important to address how the positioning of these countries affects their policies on border crossing and asylum. Through this analysis, it is possible to disseminate the facts that lead to contemporary forced migration and how these conflict with the response of recipient countries. At the same time, analyzing the positioning of these countries provides a context on the categorization they give to those claiming asylum.

Categorizing Refugees and Migrants

The dichotomy between the categories of refugees and migrants suggests the existence of two groups of people: those people who “chose” to leave their places of origins and those who are “forced to”. This distinction between voluntary and forced migrants is sustained by international policies that view these categories as mutually exclusive.¹⁶ As the motives of migration are established in two distinct categories, the conditions for asylum and refuge have also been limited to specific qualifications that determine people’s recognition as legitimate asylum seekers.

The definition of refugee status established by the 1951 Geneva Convention Relating to the Status of Refugees is straightforward: in order to be granted legal refugee status, a person has to demonstrate a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.¹⁷

¹⁶ Van Hear, N. (2009). “Managing Mobility for Human Development: The Growing Salience of Mixed Migration”. United Nations Development Program (UNDP).

¹⁷ UNHCR, *Convention and Protocol Relating to the States of Refugees* (Geneva: UNHCR, 1951).

In practice, however, the contemporary factors that lead to forced migration are both complex and often multi-casual. As a consequence, the practices of refugee management and protection are challenged, which means that those individuals who do not fall into the recognized “refugee” category might face significant risks.

In 2015, the Migration Policy Institute issued a report, which demonstrated that much of displacement today is triggered by a combination of internal conflict, poor governance and political instability, climate change, and resource scarcity.¹⁸ The combination of these conditions expose people to high risks that affect both their present and future, forcing them to leave their places of origins in search of security. Zetter (2015) explains that while the great majority of displaced people – 95 percent- will remain in their country of origin or in the proximate neighborhood, an increasing number of forced migrants are engaging in broader mobility patterns, both on the regional and international scale, to ensure their access to livelihoods and safety. The author argues that greater mobility- along with the complex circumstances of modern displacement- generates new challenges for the governmental and non-governmental actors responsible to protect these individuals, which creates new types of vulnerability. Under this scenario, the traditional classification of refugees is problematic as it overlooks the different factors that affect the mobilization of vulnerable populations.

While the motives of displacement have become more complex, since the ratification of the 1951 Geneva Convention, the proportion of asylum seekers who are granted refugee status in Western countries has decreased significantly. As an example,

¹⁸ Migration Policy Institute. “Protection in Crisis: Forced Migration and Protection in a Global Era”.

Fassin (2011) states that the proportion (of those who sought refuge) of people who were offered refugee status in France declined from 95% in 1976 to only 6% in 2006 at the Office of Protection of Refugees and Stateless. These numbers could be explained by what Stepputat (1994) defines as “politics of space”, which refers to the punitive treatment of displaced people who are subject to specific procedures and limitations because they have crossed national borders without permission. That is, depending on the policies of each state, individuals seeking asylum might face different responses and treatments. Different authors (Andersson 2014, Fassin 2011, Dauvergne 2012, De Wind 1990) have pointed out the ways in which industrialized countries enact legislation against asylum seekers, who are often treated as violators of the law (aka “illegal migrants”).

Authors from different disciplines have addressed the complexity of the formulation of the traditional refugee category. Charles (2006) claims that the making of this particular classification can be employed and exploited by state governments that follow particular geopolitical and ideological goals. As a consequence, states apply different policies depending on the specific origin of the refugees. That is, the variation in the management of asylum processes is influenced by different factors including the economic circumstances of the receiving country, foreign policy interests, national security affairs, public opinion, and perception of different refugee groups. Along these lines, Yarris et al (2014) explain that refugees’ capacity to prove their vulnerability is affected by geopolitical realities. In other words, the category of refugee is subject to the position of both the host state and the country of origin of the asylum seekers, which suggest a discrepancy in the discourses of migration.

Within academia and the international humanitarian community, refugees are defined by their experiences of political persecution, which distinguish them from “voluntary” migrants who seek economic opportunities. Because this fact results problematic, scholars agree that discourse on migration is an important factor that affects the understanding of displacement and deservingness of protection from receiving states. Yarris and Castaneda (2015) affirm that the discursive framings of displacement, which includes the dualistic classification of “migrants” and “refugees” as different groups of displaced people, is a reflection of power regimes and interests conflicts as well as assumptions regarding individuals’ agency. In this regard, the authors claim that the discursive framing of the motives of displacement influences both states and social actors’ responses to displacement and to displaced populations. For example, the contrasting perceptions of the Mexican and U.S. government impacted their responses to Haitian asylum seekers. I will elaborate more on these responses in chapter IV.

On the other hand, the distinction between forced migrants and refugees has resulted in the unofficial category of the so called “bogus asylum seeker”. Scheel and Squire (2014) explain that the classification of the bogus asylum seeker is based on the assumption that asylum seekers make false claims of being forced migrants so as to obtain entry to a country, when in reality, they are voluntary economic migrants. It is under this assumption, that state authorities deny asylum to individuals whose reasons to migrate are perceived as invalid. It is important to note that the image of the bogus asylum seekers has created a stigma on asylum seekers, which has been condemned by international community leaders. As an example, the former United Nations Secretary General Kofi Annan declared:

“Let us remember that a bogus asylum-seeker is not equivalent to a criminal; and that an unsuccessful asylum application is not equivalent to a bogus one”.¹⁹

In this regard, the UNHCR has established that there is not such a thing as a “bogus” asylum seeker or an illegal asylum seeker, since all people have the right to seek asylum in another country regardless of whether or not they qualify to the refugee status.²⁰ Yet, suspicion towards asylum seekers seems to predominate among recipient states, which implement sanctions against those who are considered to make invalid asylum claims. Along these lines, Freeman (1992) explains that the failure of states dealing with migration crises may reinforce national sanctions and increase immigration restrictions, which in turn will strengthen the distinction between economic migrants and refugees. In relation to labels and refugees, Zetter (2007) affirms that refugee status in industrialized nations has been replaced by the label of “asylum seekers”, which it is characterized by the reduction and often withdrawal of rights. As an example, Zetter cites immediate deportation, limited judicial review, and long periods of detention (181). In fact, one of the major issues I will be discussing in this study is how, in managing asylum petitions from Haitians, U.S. immigration authorities have implemented unfair border control measurements including the denial of asylum procedures and deportation. Yet, restrictive immigration approaches are a common strategy used by industrialized nations.

Andersson (2014) expands the argument on the industrialized countries’ response to asylum seekers by identifying time as a tool to deal with the influx of these individuals. He argues that by delaying asylum processes, Western states in North

¹⁹ UNHCR. “Asylum in the UK”. Web. <http://www.unhcr.org/en-us/asylum-in-the-uk.html>

²⁰ Ibid.

America, Europe, and Oceania negatively affect the migratory experiences of irregular migrants. In fact, a major problem experienced by Haitians in Tijuana is related to long periods of waiting for asylum petition interviews with U.S. immigration authorities.²¹ On a similar note, James (2011) explains that immigration policies often depend on changing perceptions of national security. In this case, it is important to point out that the response Haitians asylum seekers receive by United States immigration authorities has its origins in the historical geopolitical and economic relationship between Haiti and the United States. As an example, Salehyan and Roseblum (2008) point out that between 1997 and 1998, the U.S. Congress passed a series of bills that responded to decades of perceived discrimination against Caribbean Basin asylum applicants including Haitians who had been denied the benefit of asylum hearing in previous years.

Lastly, it is important to mention that current perceptions of forced migration in Western states are impacted by globalization. Dauvergne (2008) argues that “globalizing social, political forces are vital to understanding the increasing illegality of asylum” (51). The scholar suggests that international refugee law is impacted by growing global concerns about illegal immigration. Yet, it is notable that these concerns are the result of not only the high rates of people in displacement but also a consequence of nationalistic rhetoric which views poor immigrants and refugees as a threat to national security to host countries, in particular to industrialized nations. Anderson (2014) extends this view by claiming that in the present era, industrialized countries’ borderlands “seemed like a battleground” (798) where irregular migrants are the main threat. This scenario can be particularly observed in the increasing militarization of the U.S. southern border, which

²¹ Initially, it would take 2 or 3 days for U.S. immigration authorities to receive asylum seekers. Today, the wait is about 3 to 4 months according to

the US government has been implementing since the passing of the North America Free Trade Agreement (NAFTA). In this regard, Cornelius (2006) claims that tougher border enforcement policies in the 1990s led more undocumented migrants to settle permanently in the United States, as they were not willing to risk being apprehended at the border crossing points. As suggested by different scholars, these misleading perceptions on asylum seekers and migrants are conflicting as they hinder the possibility to find durable solutions to refugee issues.

Responsibility Sharing and Failing “Solutions”

During most of the 20th century, international protection efforts focused on people who had crossed international borders in seek of refuge from war and persecution (Martin, 2010). The idea of protecting people who escaped persecution was a response to major international conflicts including World War I, the Bolshevik Revolution, and the collapse of the Ottoman and Hapsburg empire (Martin, 2010). At that time, the issue of “responsibility to protect” (hereafter R2P) was not well defined. The emergence of the R2P concept was first introduced in a report on the International Commission on Intervention and State Sovereignty (ICISS), lead by the Canadian government in 2001²². The report proposed that when a state fails to protect its citizens- either because of lack of capacity or lack of disposition- the international community had the responsibility to protect those people.

²² United Nations. “Background Information on the Responsibility to Protect”.
<http://www.un.org/en/preventgenocide/rwanda/about/bgresponsibility.shtml>

During the 2005 United Nations World Summit, world leaders agreed that the international community shares a responsibility to protect people from genocide and crimes against humanity (Kikoler, 2009). Current responses to displacement however, show that the implementation of R2P often conflicts with national policies in developed countries, as discussed in the previous section. Thus a major question is what responsibility does a state have towards people who cross borders and seek asylum claiming to be refugees?

While industrialized nations implement tougher immigration measures and border enforcement, the responsibility to protect refugees has disproportionately laid in developing countries. By the end of 2015, nations in the developing world hosted 13.9 million of the world's total refugee population, whereas developed countries only hosted a total of 2.2 million.²³ More specifically, countries classified as Least Developed Countries provided asylum to more than 4 million refugees.²⁴ These statistics are particularly concerning as they imply that refugees may not be receiving the assistance they need, since most of them are hosted in countries that struggle to meet the needs of their own citizens. On the other hand, the fact that developed countries are closing their doors to asylum seekers exhibits lack of accountability to current population displacement numbers. Recently, this situation has been illustrated by the European Union and the United States' restrictions to host Syrian refugees.

In relation to the European Union (EU) response to the Syrian refugee crisis, the associate director of Human Rights Watch, Judith Sunderland, affirmed that "EU

²³ UNHCR (2015). Global Trends Forced Displacement.

²⁴ Ibid.

governments can only agree to push responsibilities to countries outside the Union”.²⁵ The EU response to the crisis has been associated with national interest as opposed to perspectives from the Union.²⁶ As an example, the former Prime Minister of Britain, David Cameron claimed his concern to the “abuses” to the British welfare system by unemployed migrants. On the other hand, the country of Germany has resettled more than 450,000 Syrian refugees, more than any other country in the region.²⁷ The disparity of responses to Syrian refugees in Europe is noteworthy as it demonstrates that the fate of asylum seekers depends on the politics and governance of nation-states. At the same time, the Syrian situation has shifted the world’s attention away from other refugee hotspots such as the US-Mexico border. This fact raises questions regarding the international community’s commitment to protect refugees.

In this study, I argue that neither the United States nor the Mexican state have adequately responded to the influx of Haitian asylum seekers at the US-Mexico border. Rather, the responsibility to host and protect these individuals has lied in the work of non-governmental organizations in Tijuana, in particular, in religious-based migrant shelters like Casa del Migrante, which for years have had an important role in the processes of transnational migration in the US-Mexico border region.

It is important to mention that the international refugee regime – or the body of law that surrounds refugee protection- was designed not only to provide protection to refugees, but also to find solutions to refugee crises. Yet, in order to think about

²⁵ Human Rights Watch. “EU: Deflecting Responsibility to Protect Refugees” September 9, 2015. Web.

²⁶ Hadfield, A. & Zwitter, A. “Analyzing the EU Refugee Crisis: Humanity, Heritage, and Responsibility to Protect”. *Politics and Governance*, 3(2), 129-134. doi:<http://dx.doi.org/10.17645/pag.v3i2.507>

²⁷ Syrian Refugees Asylum Map. Web. <http://syrianrefugees.eu/asylum/>

solutions, it is necessary to understand how the international community frames the so called “refugee problem”. Governments that host large numbers of refugees tend to use the term “burden-sharing” when referring to the issues of costs that accumulate after the reception of a large influx of refugees. Under these circumstances, receiving states expect to share these costs with governments from other countries as well as with international institutions. On the other hand, humanitarian agencies prefer the term “responsibility-sharing”, which portrays a more positive image of refugees and a willingness to collaborate with other entities to manage the influx of displaced populations (Gottwald, 2014).

One observation I made when I was at Casa del Migrante in Tijuana was that all the personnel used the terminology of “refugee” to refer to Haitians and other nationalities who had arrived to the US-Mexico border in search of asylum. However, the personnel would use the term “migrants” to describe deportees. In contrast, most media and government authorities referred to everyone as “migrants”. In further chapters, I will elaborate on how this distinction has an impact on the responses to these different populations.

As discussed in this chapter, the conflicting policies on asylum seekers exhibit the need of a more comprehensive approach to the root causes and events that lead to contemporary population displacement. These policies are of particular significance in the present global context where most of the world’s refugees are being hosted in impoverished nations (see figure 2). In the next chapter, I will overview the historical context of displacement of Haitian people, while addressing the impact of US policies on asylum seekers and irregular migrants who attempt to cross the border through Mexico.

At the same time, I will explain the implications of these effects on the city of Tijuana, which has a history of receiving populations that have been denied entry and been expelled from the United States.

Where are refugees being hosted?

Major refugee-hosting countries

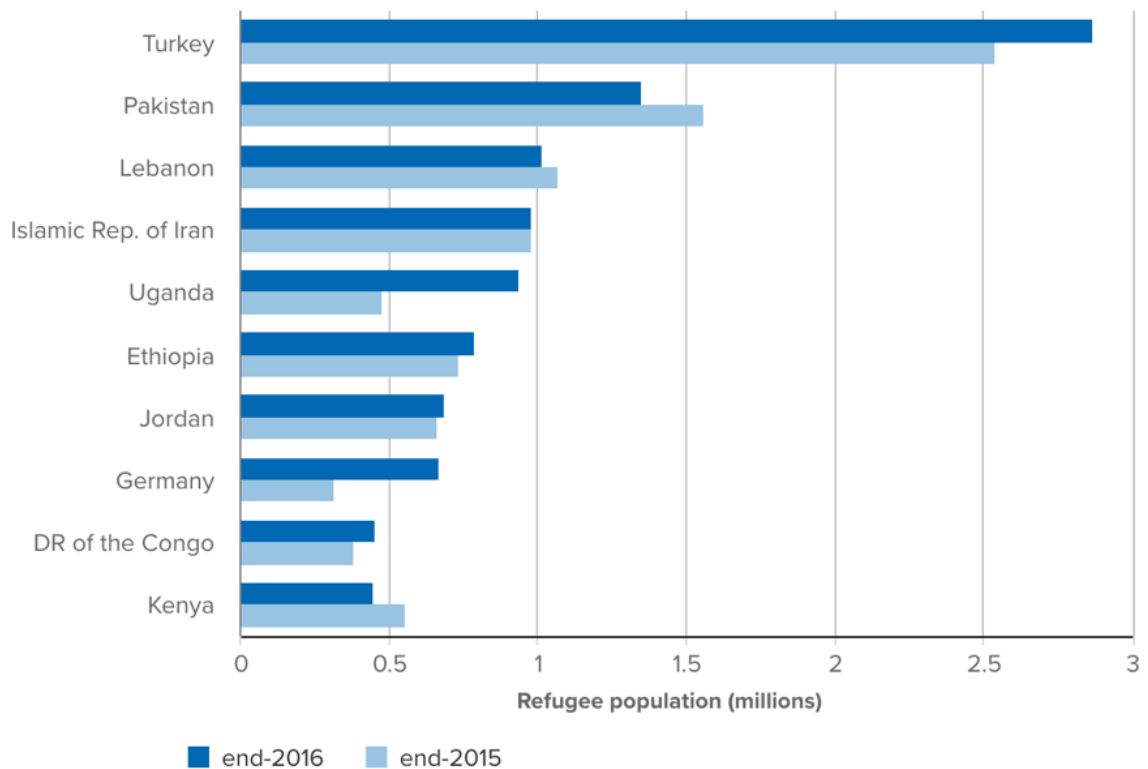


Figure 2 UNHCR Global Trends Forced Displacement 2016.

CHAPTER III

MULTI-SCALAR ANALYSIS OF HAITIAN DISPLACEMENT

That Haiti is a veritable graveyard of development projects has less to do with Haitian culture and more to do with the nation's place in the world. – Paul Farmer

In this chapter, I provide a historical background of the factors that have influenced the displacement of Haitians across the Americas. Using a multi-scalar global lens, I start this chapter by addressing the issues that have led to the Haitian diaspora including Haiti's political and economic position in the Western Hemisphere. Because the great majority of the Haitians who arrived to Tijuana in 2016 came from Brazil, I found it necessary to document the connection between Haiti and Brazil. In this manner, I address the role of Brazil during and after the United Nations Stabilization Mission in Haiti (MINUSTAH), which attempted to re-establish peace and security to Haiti after the armed conflict that led to President's Aristide exile. Next, I analyze the unequal relationship between the United States and Haiti while paying a particular focus to US policies of exclusion against Haitian asylum seekers. Drawing from a historical framework, I explain how the US has responded to Haitians who have tried to escape from political violence and instability since the 1960s. I conclude this chapter with an overview of some of the most influential US immigration policies, which have had a deep impact on Tijuana and the rest of the US-Mexico border. The main goal of this chapter is to set the context in which Haitian asylum seekers arrived to Tijuana. In doing so, I attempt to demonstrate that the Haitian diaspora is an illustration of what I have previously described as a "crisis migration". Therefore, I suggest that the displacement of

Haitian people should be addressed not solely as a humanitarian problem but as a complex issue that has political and power-relations connotations.

The Haitian Diaspora

As described by Father Murphy, the massive arrival of Haitians to Tijuana took many by surprise. However, the arrival of Haitian asylum seekers to the U.S-Mexico border in 2016 is largely an effect of the post-disaster displacement that resulted from the 2010 earthquake that hit Haiti's capital of Port-au-Prince. On January 12, 2010, the earthquake resulted in over 200,000 casualties, the total destruction of infrastructure, and a massive displacement crisis in Haiti's capital and the surrounding metropolitan area, where it is estimated that 2.8 million people lived at the time.²⁸ At the peak of the crisis, an estimated 1.5 million internally displaced persons (IDPs) were spread in over 1,500 camps.²⁹ However, it is important to point out that the earthquake was not the only factor that led to the 2010 humanitarian crisis in Haiti. In addition to the natural disaster, different factors have contributed to Haiti's catastrophe including the country's extreme poverty, which derives from years of political instability and inequitable trade policies (Farmer, 2011). That is, Haiti's position as the poorest, least developed nation in the Latin America region has resulted in the forced displacement of its people within and outside Haitian territory.

After the earthquake, Brazil, which is an emerging economic power in Latin America, took the initiative in providing humanitarian assistance to Haiti. In 2012,

²⁸ Sherwood et al (2014). "Supporting Durable Solutions to Urban, Post Disaster Displacement". International Organization for Migration.

²⁹ Ibid.

Haitian president Michel Martelly and Brazilian president Dilma Rouseff established a binational agreement which resulted in two main resolutions. First, Brazil offered a number of temporary “humanitarian visas” which aimed to employ Haitian workers who would eventually go back to Haiti. Second, Brazil agreed to remove its military troops, that had been in Haiti since 2004 (Veronese, 2015). While Brazil initially compromised to offer 1,200 humanitarian visas, the Brazilian government facilitated the access to visas citing “the deterioration of the Haitian population’s living conditions due to the earthquake in that country on January 12, 2010”. It is estimated that over 85,000 Haitians –most of them undocumented people who migrated to Brazil through the jungle- moved to Brazil after the 2010 earthquake (Jubilut et al, 2016).

While thousands of Haitians found temporary residency in Brazil, the Brazilian political crisis of 2015, which resulted in the impeachment of president Dilma Rouseff in March 2016 has forced Haitians to leave Brazil in an attempt to seek asylum the United States. This new quest for better life opportunities pushed thousands of Haitians to cross several borders in Latin America with the objective of reaching the US-Mexican border as observed below in Figure 2.



Figure 3. Haitian diaspora route to US-Mexico border.

While the US-Mexico border extends for 2,000 miles, the border town of Tijuana became the main destination of Haitian displaced people. The trans-national nature of this case suggests the need for a multi-scalar perspective that exposes the underlying drivers, triggers, and patterns of displacement of Haitians. While doing so it is important to address the position of Haiti, Brazil, the United States, and the border town of Tijuana in the Western Hemisphere.

Haiti in the Western Hemisphere

Çağlar (2007) assures that the notion of scale as developed by geographers and political economists is practical for presenting the missing socio-spatial parameters to the analysis of “locality” in the migration literature. To put it differently, a scalar approach permits a better understanding of the interactions of power hierarchies and it allows the incorporation of globalization as a context in these hierarchies. The background of the Haitian diaspora supports this statement. In order to address the massive displacement of Haitians, it is necessary to take into consideration the geographic, economic, and political factors that position Haiti not only as the poorest but as the most vulnerable country in the Western Hemisphere.



Figure 4. Political Map of Haiti. Source: Geology.com

Located between the Caribbean Sea and the North Atlantic Ocean, Haiti is a tropical island, which has a population of 10, 485,800 people.³⁰ The capital of Port-au-Prince counts with a population of 2.44 million making it the most populated urban area in the country.³¹ Its ethnic profile is composed in its majority of Black (95%) and Mulatto and White (5%), and the median age is 22.6 years old, which distinguishes it as one of the youngest societies in the Americas.³²

Statistics from the World Bank (2016) demonstrate that Haiti remained the poorest country in Latin America and one of the poorest in the world with a GDP per capita of \$ 846 USD in 2014.³³ Over 6 million out of 10.4 million (59%) Haitians live under the national poverty line of \$ 2.42 USD per day and more than 2.5 million (24%) live under the national extreme poverty line of \$1.23 USD per day.³⁴ At the same time, Haiti's economic growth has been continuing to decelerate from 2.8% in fiscal year 2014, to 1.2% in 2015 and was anticipated to be around 0.8% in 2016, due to lower foreign investments, unstable political setting and a slow recovery of the agricultural sector after natural disasters hit the island.³⁵ These negative numbers provide an insight into Haiti's economic situation, which exposes the low standard of living of their population. At the same time, these statistics explain why many Haitians I met at Casa del Migrante

³⁰ CIA factbook. "Haiti Overview".

³¹ Ibid.

³² Ibid.

³³ World Bank. "Haiti Overview".

³⁴ Ibid.

³⁵ Ibid.

identified poverty as one of the main factors that pushes them to find opportunities in another country.

Haiti's alarming poverty can be traced back to its history as a former French colony. After its independence in 1803, Haiti was forced to pay France the equivalent of \$22 billion in today's money to be recognized as a free country.³⁶ Yet, the relationship between Haiti's poverty and emigration is associated to contemporary regimes of political oppression and economic dispossession. As an example, De Wind (1990) attributes the flight of Haitian "boat people" to the United States, to the regimes of François ("Papa Doc") and Claude ("Baby Doc") Duvalier, which were sustained by political terrorism and economic deprivation including the wrong distribution of government tax revenues.

De Wind & Kinley (1988) point out the corruption of Haiti's Duvalier era to the emergence of the paramilitary organization the "Tontons Macoutes", which possessed virtual license to extort and steal with impunity. According to the authors, both the government and the Tontons Macoutes, share a big responsibility in making Haiti the poorest country in the hemisphere. The fact that Haiti continues to be an impoverished nation suggests that the government is not able to provide stability to its citizens. For this reason, during times of crisis, Haiti has received the intervention of regional and supranational actors. As an example, after the rebellions and instability that followed President Aristide's overthrow in 2004, the United Nations Security Council launched the *Mission des Nations Unies pour la Stabilisation en Haïti* (MINUSTAH) or the United Nations Stabilization Mission in Haiti. During this time, Brazil became directly involved

³⁶ Jere-Malanda, R. (2004). It's Pay Back Time. *New African*.

in Haiti by sending both humanitarian and military troops to Haitian territory. Thus, it is important to examine how external actors have impacted Haiti in the last years. By examining Haiti's relationship with the UN and other countries, I attempt to provide a big picture of the complicated political context of the Haitian diaspora across the Americas.

The United Nations and the Brazil-Haiti Relationship

Due to Haiti's position as a fragile state, foreign governments and supranational actors have had a significant role in the conditions that impacted the displacement of Haitians throughout Latin America. Heine (2011) explains that over the last two decades, the United Nations has taken a particular interest in Haiti, working hand in hand with the Organization of American States (OAS). In June 2004, MINUSTAH was established by the UN Security Council, becoming the first UN peacemaking operation to have a majority of Latin American troops. In order to discuss the regional dynamics that influence Haiti, it is important to understand the circumstances that influence other actors, which are involved in the different operations in Haiti.

The humanitarian and military operation in Haiti entailed special considerations for the foreign policies and interests of the countries involved. In the case of Brazil, Perales (2011) asserts that Brazil's leadership role in MINUSTAH matched its desires to perform a major role in international security and global affairs. Furthermore, the Brazilian government of former President Luiz Inazio Lula Da Silva took the opportunity to lead MINUSTAH in an attempt to support its bid for a permanent seat on the UN Security Council. Brazil's regional responsibility demonstrates the context of scalar politics and the influence of supranational actors on nation-states. Along these lines,

Çağlar (2007) points out that supranational actors- in this case the United Nations- play a crucial role in the ways countries and cities reposition themselves.

The example of Brazil demonstrates how its aspirations to grow as a leader in the Latin American region influenced its intervention in the MINUSTAH. At the same time, Brazil's fast growing economy was a factor that determined its position of superiority in the region. This situation was exposed by a 2014 report from the U.S. magazine *The New Yorker*:

Earlier this year [2014], unemployment fell to a near-record low of 4.9 per cent, and over the past decade, some forty million Brazilians have joined the middle class. Meanwhile, the labor supply has fallen short of the country's growth in labor-intensive sectors like construction.³⁷

Brazil's recent participation as the consecutive host of the 2014 FIFA World Cup and the 2016 Rio de Janeiro Olympic Games opened the doors for construction workers who came from Haiti in search of better life opportunities. However, since early 2015, Brazil entered a period of economic and political crisis. The country's unemployment rate hit 11.9% by the last quarter of 2016, which coincided with the time period of president Dilma Rousseff's impeachment.³⁸ Dilma Rouseff, was accused of corruption by the former speaker of the house Eduardo Cunha for moving funds between government budgets. Rouseff was a member of the *Partido dos Trabalhadores* or Workers Party, which supported the poverty-reduction programs Bolsa Familia that, according to the

³⁷ Haitian Migrants Turn Toward Brazil. *The New Yorker*. August, 20, 2014.

³⁸ Ibid.

World Bank, was key in decreasing poverty levels in Brazil.³⁹ This program benefitted poor people, including eligible foreigners. Under the new administration of president Michel Temer from the Brazilian Democratic Movement Party, it is unclear whether social programs like Bolsa Familia will continue to be a priority for the government. It was under these economic and political circumstances of insecurity and crisis in Brazil that Haitians who had been residing there since the early 2010's left the South American country in an attempt to move further north to seek admission in the United States of America. Thus, this trajectory shift was not quite unpredictable given the circumstances of both Haiti and Brazil.

The structural changes that have affected both the political and economic sectors of Haiti and Brazil, in addition to the natural disasters that have occurred in Haiti in the recent years can help explain why Haitian people have mobilized between these two nations. This situation reaffirms the idea that contemporary migration scholarship needs to incorporate an analysis which approaches the positioning of migrants' places of departure and settlement. At the same time, the case of Haitian displacement to Brazil demonstrates the dynamics of what has been described as South-South migration. Having said that, it is important to address the way in which Haitians shifted to different mobilization patterns to find new ways to reach the United States.

³⁹ World Bank. (2013). Bolsa Família: Brazil's Quiet Revolution. November 2, 2013.

U.S. – Haiti Relationship

For over four decades, thousands of Haitians have attempted to seek asylum in the United States without favorable results. Charles (2006) traces the arrival of Haitian asylum seekers to U.S. seashores back to the 1960s. According to the author, the first recorded boat transporting Haitian refugees arrived in 1963; however, their asylum requests were denied and the people were deported back to Haiti. Nearly a decade after this event, approximately 3,500 Haitians arrived to the U.S coast of South Florida between 1971 and 1977. These numbers grew massively between 1977 and 1981 when an estimated 50,000 to 70,000 Haitians reached South Florida by boat. By the start of 1992, around 34,000 Haitians had been intercepted in the sea by U.S. authorities. Charles points out that in 2002, Haiti's national immigration office had records of over 19,778 cases of Haitians who had been repatriated by U.S., Bahamian, Cuban, and Dominican immigration authorities. These numbers are relevant as Haitians can be identified as the first large nationality group to seek asylum in the United States (De Wind, 1990).

It is important to indicate that in managing the arrival of asylum seekers, U.S. authorities have committed human rights violations as well as violations to the Geneva Convention Relating to the Status of Refugees. In November 1991, the U.S. military transported Haitian asylum seekers who had been caught at the Caribbean Sea to the Guantanamo naval base. After conducting medical examinations, U.S. immigration authorities denied entry to all those Haitians who had tested positive for HIV, despite their asylum claims (Paik, 2013). What is more concerning about this event is the fact that those people who tested positive for HIV were indefinitely incarcerated in Guantanamo. In an interview with *The New York Times* on May 1992, the then director of

Refugee International, Lionel Rosenblatt, made the following statement regarding the detention of Haitian asylum seekers in Guantanamo:

There were at most 12,500 Haitians on 47 square miles of land. When we look back on this, people are going to say that the United States walked away from a very reasonable approach of providing screening for asylum seekers. The Administration simply doesn't want to give these refugees a fair hearing.⁴⁰

A possible explanation to the U.S. strategy to incarcerate Haitian asylum seekers refers to the fact that in order to claim asylum, those requesting it must reach a territory where the claim is meaningful. Dauvergne (2012) points out that the Refugee Convention does not provide the specifics on how the procedure should be done. The author explains that in the last two decades, the procedures of immigration control by Western states have negatively impacted asylum seekers. In this case, thousands of Haitians who have sought asylum in the U.S. have experienced incarceration and deportation, which implies that they have generally been regarded as illegal migrants as opposed to vulnerable individuals who deserve protection. This position towards asylum seekers has been observed in other regions across the world. As an example, Andersson (2016) identifies cases of “boat people” who are retained in impoverished islands in Papua New Guinea by Australian authorities, North African migrants detained by Spain’s Guardia Civil in Ceuta and Melilla, and the anti-migrant fencing in Israel’s borders and the Greek-Turkish frontier.⁴¹ That is, asylum seekers across the globe often end up held in detention awaiting determination on their immigration cases. This fact suggests that industrialized countries use their political power to undermine the motives of displacement that affect

⁴⁰ New York Times. “U.S. to Close Refugee Camp at Guantanamo to Haitians”. May 29, 1992.

⁴¹ Andersson, R. The Global Front Against Migration. <http://aotcpress.com/articles/global-front-migration/>

populations across the globe. Hence, I argue that the “bogus asylum seeker” is a construction from industrialized countries that do not want to receive refugees, rather than an actual practice by people who are presumed to lie about their reasons to migrate.

As stated before, state responses to refugee flows are often related to politics and more specifically to foreign policy. Charles (2006) affirms that asylum policies largely depend on “international factors” that include the political relationship between the receiving and country of origin. In this case, the U.S.-Haiti unequal relationship has been characterized by a series of policies of oppression and military interventions from the United States.

Back in July 28th 1915, the U.S. Marine force- under the presidency of Woodrow Wilson- invaded Haiti. This event led to the privatization of Haiti’s National Bank and the re-institution of forced labor (Podur, 2012). After nineteen years of occupation, the U.S. Marines left in 1934, leaving behind a legacy of political instability. As documented by Farmer (2011), Haiti’s political class was formed by a U.S. trained army and a selected group of powerful families up until 1957, when François Duvalier gained power after a fraudulent election. This election marked the beginning of the Duvalier dynasty which, after François Duvalier’s death, was directed by his son Jean-Claude “Baby Doc” Duvalier until 1986 when he and his family fled to exile to France on a U.S. Air Force jet (Podur & Robinson, 2012). It is important to mention that the dictatorship of the Duvaliers was characterized by oppression. In this regard, James (2011) denounces that the international community overlooked the repression that resulted from this dictatorship, which led to the flight of thousands of Haitians to other Caribbean countries, France, West Africa, South America, Canada and the United States.

The years following the Duvalier era were marked by governance challenges. As Heine and Thompson (2011) describe, during the first four years after the exile of “Baby Doc”, Haiti was controlled by five different military and civilian governments, which succeeded one another. During this time period, U.S. policies towards Haiti and other Caribbean nations were shaped by the end of the Cold War against the Soviet Union. Muñiz and Beruff (1994) explain that during the post-Cold War era, the U.S. government’s priorities in the Caribbean were to combat drug trafficking and illegal migration. As a consequence, the U.S. focused its efforts on the detention of “boat people” in the sea and the imprisonment of these individuals in U.S. military installations in the United States and in Guantanamo, Cuba. The combination of Haiti’s political instability and U.S. interest in the region led to a new military intervention by the United States.

On September 30, 1991 a military coup organized by Lieutenant General Raoul Cedras overthrew the government of Haiti’s first democratically elected president Jean-Bertrand Aristide.⁴² This event prompted the U.S. president of the time, George H.W. Bush, to call for the restoration of democracy in Haiti and collaborate with the Organization of the American States (OAS) to impose a trade embargo on all goods except medicine and food.⁴³ Heine and Thompson (2011) explain that the international community was able to restore Aristide to office after a series of coercive measures, which included diplomatic measures, economic sanctions and military force. In 1994 the United States executed Operation Uphold Democracy under the administration of

⁴² United States Department of State. Office of the Historian. “Intervention in Haiti, 1994-1995”. Web.

⁴³ Ibid.

President Bill Clinton. This operation involved the deployment of 25,000 military personnel, which included a majority of U.S. forces supported by a multinational contingent from Caribbean countries and the United Nations Security Council.⁴⁴ The military intervention ended on March 31, 1995, leading to a democratic presidential election which resulted in the appointment of Rene Préval as the new president of Haiti on February 1996.

Despite the ‘success’ of this intervention, Haiti remained a focus of attention to U.S. foreign policy during both the Bush and Obama administrations. As observed by Maguire (2011), the four pillars of U.S. policy toward Haiti during the Bush administration involved fostering and strengthening democracy, poverty alleviation, the promotion of human rights, and countering illegal immigration and drug trafficking. Maguire claims that during the first period of the Bush administration the main efforts on Haiti was on the prevention of illegal immigration. As an example, the author emphasizes that the first three pillars of the policy were not prioritized as the Bush administration suspended 500 million dollars’ worth of bilateral assistance. In contrast, the detention and deportation of Haitian asylum seekers continued, which suggests that the U.S. policy implemented a national security approach as opposed to humanitarianism. However, after the overthrow of Jean Bernard Aristide in 2004, U.S policy toward Haiti took a more rational engagement as reflected by the enactment of the Haitian Hemispheric Opportunity through Partnership Encouragement (HOPE) Act which provided duty-free imports for Haitian garments manufactured in Haiti.⁴⁵

⁴⁴ Ibid

⁴⁵ USAID . “Hemispheric Opportunity through Partnership Encouragement (HOPE) Legislation.

During the Obama administration, U.S. policy toward Haiti focused on a benevolent approach involving U.S. collaboration with the international donor community. In 2009, Bill Clinton, in his position as United Nations especial envoy to Haiti, asked international donors to meet their compromise with the Haitian people as Haiti had only received \$21 million in aid out of the \$760 million they had promised.⁴⁶ On the other hand, since the 2010 earthquake, the U.S. government has committed \$4.2 billion in assistance focusing on long-term reconstruction, economic growth, job creation, agricultural development, health and the provision of health and education.⁴⁷ In addition, the Obama administration granted temporary protection status (hereafter, TPS) to over 200,000 undocumented Haitians who were in the United States (Maguire, 2011). As stated by the U.S. Citizenship and Immigration Services, “the Secretary of Homeland Security designates a foreign country for TPS, due to conditions of the country that temporarily prevent the country’s nationals from returning safely, or when the country is unable to handle the return of its national adequately”.⁴⁸

While Haiti continues to struggle with the aftermath of the 2010 earthquake, the Trump administration announced the resolution “to terminate the TPS designation for Haiti with a delayed effective date of 18 months to allow for an orderly transition before the designation terminates on July 22, 2019”.⁴⁹ According to the DHS, acting secretary Duke met with Haitian Foreign Minister Antonio Rodrigues and Haitian Ambassador to

⁴⁶ Reuters. “U.N. Envoy Bill Clinton Chides Donors Over Haiti Aid. *Reuters News*.”

⁴⁷ USAID. “About Haiti”.

⁴⁸ USCIS. Temporary Protection Status.

⁴⁹ Department of Homeland Security. “Acting Secretary Elaine Duke Announcement on Temporary Protected Status For Haiti”. Retrieved from <https://www.dhs.gov/news/2017/11/20/acting-secretary-elaine-duke-announcement-temporary-protected-status-haiti>

the United States Paul Altidor to debate about the decision to finish the TPS to Haiti. In the official USCIS website, one can find the following information regarding the termination of the TPS for Haitian people:

“In order for you to maintain TPS status, you must re-register during the 60-day re-registration period that runs from Jan. 18, 2018, through March 19, 2018. We encourage you to register as soon as possible within the 60 day re-registration period”.⁵⁰

As the quote states, Haitian recipients of TPS have until March 2018 to re-registered to the TPS so that they can maintain their status through the termination of the program in July 2019. That is, the re-registration is only an extension to their program and does not mean that Haitians will be undeportable after July 2019. Thus, the fate of thousands of Haitians living in the United States has been jeopardized by the Trump administration who has made it clear that is against any sort of immigration reform that could provide a path to legalization to the millions of people who lived in the country without and/or temporary authorization. This decision resonates to current Trump administration immigration policies including the end of the Deferred Action for Childhood Arrivals (DACA), which provides amnesty from deportation among other benefits to undocumented young migrants. The USCIS states that

“Individuals who were previously granted deferred action under DACA may request renewal by filing Form Form I-821D (PDF), Form I-765 (PDF), and Form I-765 Worksheet (PDF), with the appropriate fee or approved fee exemption request, at the USCIS designated filing location, and in accordance with the instructions to the Form I-821D (PDF) and Form I-765 (PDF).⁵¹

⁵⁰ USCIS Temporary Protection Status Designated Country: Haiti.
<https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-haiti>

⁵¹ USCIS Deferred Action for Childhood Arrivals: Response to January 2018 Preliminary Injunction.
<https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>

Despite the opportunity for renewal, both the ending of DACA and TPS for Haitians illustrates the Trump administration's intention to reduce the number of people who have irregular status in the United States. This political resolution however, is directly related to the history between the United States and the countries of origin of the individuals who are recipients of either TPS and/or DACA. Thus, it is necessary to address this political relationship.

Summary of the US-Haiti Relationship

For the U.S., offering asylum to people escaping from Haiti would mean the U.S. would have to recognize its avid support to the dictatorships that caused economic and political crises to Haiti. I argue that the U.S. has intentionally implemented a restrictive immigration policy towards Haitians, as a way to deny the failure of its foreign policy in Haiti. Unfortunately, U.S. restrictive immigration policies have contributed to the view of Haitians as “bogus asylum seekers” who are undeserving of protection. While the construction of the “bogus asylum seeker” results problematic for the individuals seeking asylum, it is important to note that this construction also has effects on the border regions where these people are stuck as they attempt to continue their migration routes. In this case, the US rejection of Haitians., left Tijuana with the responsibility to host thousands of people in a relatively short period of time. In order to explain the impact of U.S. policies in border regions, I believe it is important to overview the dynamics of the U.S.-Mexico border while focusing on Tijuana's role as a “sanctuary” for irregular migrants.

CHAPTER IV

TIJUANA: A SANCTUARY FOR DISPLACED POPULATIONS

Due to its location in the US-Mexico border, Tijuana needs to be studied from a scalar perspective. Proffit (1994) explains that since Tijuana has been defined by different contexts over time, it cannot be studied in isolation, but rather within its geographic and socio-cultural contexts. For the purpose of this study, one needs to look at Tijuana as a “transit city” which is interdependent to other cities in Southern California. As defined by the IOM (2015), a transit city is “a city where migrants stop over on their way from origin countries to the ultimate destination country”. Since the beginning of their arrival back in May of 2016, Tijuana has served as a transit city for Haitian people who wait for asylum appointments with US immigration authorities. Nevertheless, in the last months Tijuana has shifted from being a transit city to a space of indefinite settlement for displaced Haitians. In this section, I aim at exposing the ways in which U.S. immigration and border enforcement strategies has developed, impacting Tijuana since the beginning of its history.

As the U.S. - Haiti relationship demonstrates, U.S. geopolitical interests and policies have a direct impact on the socio political and economic development of foreign localities. In this case, Tijuana’s development as a migration hub can be attributed to U.S. immigration policies of exclusion. For instance, the Chinese Exclusion Act of 1882 prohibited the presence of Chinese migrants in the United States, forcing many to settle

in Baja California in hope of illegally entering the United States (Proffitt, 1994). Today, it is estimated that about 15,000 people from Chinese origin live in Tijuana.⁵²

Fussell (2004) claims that Tijuana's population growth began in the 1930s when the United States deported thousands of Mexican origin people to Tijuana in an effort to increase employment in California during the recession that resulted from the Great Depression. The fact that Tijuana's population growth started with deportees from the United States exemplifies the impact of US immigration strategies in the U.S- Mexico border. Moreover, this fact suggests that Tijuana is a city that has historically functioned as a sanctuary for those who have been impacted by U.S. economic and immigration policies. The history of Tijuana during the 20th century supports this statement.

In the 20th century, the development of Tijuana and other Mexican border towns was shaped by the termination of the Bracero Program in 1965 when millions of Mexican farm workers lost their jobs. Chavéz (2016) points out that after the termination of the guest-worker program, many ex-braceros remained in Tijuana in search of new economic opportunities in the manufacturing services market, which resulted from the Border Industrialization Program (BIP). Aside from ex-braceros, Tijuana's industrialized market has attracted the influx of internal migrants, which has resulted in population growth. It is estimated that from 1970 to 1990, Tijuana and Ensenada experienced a larger population growth rate than the entire country of Mexico (Rubin-Kurtzman, 1996). As industrialization turned Tijuana into the main exporter of flat screen televisions in the world, the city offered employment to incoming migrants.⁵³

⁵² San Diego Red. "15,000 Chinese migrants thriving in Tijuana". News.

⁵³ International Organization for Migration. <http://www.iom.int/world-migration-report-2015>

Yet, it is important to mention that while maquiladoras significantly contributed to the creation of jobs in Mexico during the 1980s and 1990s, once the Mexican government adopted export based development, the closure of domestic industries led to high levels of unemployment in Mexico, contributing to the irregular migration of Mexican people to the United States (Kopinak, 2011). As it will be revealed in the next sections, the clash between increasing clandestine migration and border control has resulted in negative consequences that increase the vulnerabilities of border crossers, which often rely on the humanitarian services of local organizations in Tijuana. In order to understand Tijuana's position as a sanctuary for irregular migrants, it is crucial to first overview the history of illegal immigration and regional border control in the United States during the political and economic context of neoliberal globalization in the 1990s.

Increasing Irregular Migration and Border Control

Mexico's adoption of the North American Free Trade Agreement (NAFTA) in 1994 led to the large-scale displacement and out migration of Mexicans to the United States. While NAFTA promised the creation of jobs in Mexico, it dispossessed millions of Mexican farmers from their land. Consequently, the majority of undocumented Mexican people residing in the US migrated after 1999. According to the Department of Homeland Security, from 2000-2011, the Mexican-born unauthorized population increased by 2.1 million or an annual average of 190,000.⁵⁴ It is important to

⁵⁴ Hoefer, Michael, Rytina, Nancy and Baker, Bryan. "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2011" 2012. Accessed May 07, 2016, from US Department of Homeland Security website: <https://www.dhs.gov/publication/estimates-unauthorized-immigrant-population-residing-united-states-january-2011>

note that, while in lesser numbers, the last decade has shown a rise in the presence of undocumented migrants from El Salvador, Guatemala, and Honduras, many of who are fleeing persecution from criminal organizations. Therefore, border enforcement became an increasing priority to the US government since the 1990s.

The 1990's marked a new era in the United States immigration system. Border enforcement became a priority as demonstrated through Operation Hold the Line in 1993 and Operation Gatekeeper in 1994. While these operations increased the inspection and militarization at the US-Mexico entry points of El Paso, Texas and San Ysidro California, the apprehensions of undocumented migrants declined as migrants shifted to new crossing points (Chomsky, 2007). In other words, the new policies against illegal immigration did not succeed at preventing undocumented migrants from coming to the US. Moreover, tougher border enforcement policies led more undocumented migrants to settle permanently in the United States, as they were not willing to risk being apprehended at the crossing points (Cornelius, 2006). The failure of border enforcement approaches has led the US government to create even stricter policies to deal with illegal immigration.

In 1996, President Clinton signed the Illegal Immigration Reform and Immigrant Responsibility Act (IRRIRA), which implemented new measures against illegal immigration. Among the different measures, the intensification of border enforcement continued to be a priority. For instance, the 1996 Act required the number of border patrol agents to be doubled by 10,000 over five years, and the construction of fourteen-mile long fence along the border with Mexico (Fragomen,1997). IRRIRA also expanded the grounds for deportation by adopting a broader definition of

aggravated felonies for the purposes of immigration (Messias, Mcewen and Boyle, 2015). Regarding refugees and asylum, IRRIRA 1996 established a much stricter process. For instance, IRRIRA established that a foreigner could be denied to apply for asylum if the Attorney General concluded that he or she can be removed to a “safe third country” (Fragomen, 1994). In a similar manner, the implementation of strict immigration legislation has continued to rise during the second millennium, particularly after the terrorist attacks of September 11, 2001.

Post 9/11 US Immigration Policies to the Trump Era

The aftermath of the terrorist attacks of September 11, 2001, led the US government to incorporate an anti-terrorism approach to immigration policies by aiming at the improvement of national security and the increasing control of people entering the US (Correa, 2013). This approach was evident through the creation of the Department of Homeland Security (DHS) in 2003. The creation of the DHS along with the establishment of the US Customs and Border Protection (CBP) and US Immigration and Customs Enforcement (ICE) aimed to protect the nation from terrorism while targeting undocumented migrants. By assigning the DHS to deal with terrorism and immigration enforcement, the US government somehow placed terrorists and undocumented immigrants under similar categories. This fact is significant as it explains the increasing efforts to safeguard the southern border with Mexico.

Three years after the creation of the DHS, President George W. Bush passed the Secure Fence Act of 2006, which provided the funds for the construction of an 850-mile fence along the US Mexico-border. Nonetheless, studies show that a major result of

this policy was the redirection of undocumented migrants from the more transited Texas-Mexico border to more dangerous and inhospitable areas in Arizona (Messias et al, 2015). This effect can be compared to that of Operation Hold the Line and Operation Gatekeeper, which made the southwestern border more lethal by forcing migrants to enter the US through hazardous mountain and desert areas (Cornelius, 2006). Yet, the growth of border enforcement has not discouraged the entrance of undocumented migrants to the U.S. Despite the failure of past immigration policies, the Obama administration followed similar policies that intensified border control while increasing the number of deportations in particular of those people with criminal backgrounds in the United States.

Currently, the present administration of Donald Trump has been particularly explicit on its position to receive refugees by putting on hold refugee resettlement programs and establishing travel bans, which target countries where most of today's refugees come from. On September 27, 2017, the Department of State announced that the new refugee cap for fiscal year 2018 would be 45,000 from around the world⁵⁵. The new refugee cap is the lowest it has been since the creation of the 1980 Refugee Act⁵⁶. While those most of the debate against these strict immigration measures focus on the impact that these will have on refugees, I believe it is important to also consider what this means for other countries in LDCs, which do not have the capacity to host refugees, yet they are somehow forced to do so as industrialized countries like the U.S. continue to increase their restrictions against displaced populations.

⁵⁵ US Department of State. Background Briefing: U.S. Government Officials on the Refugee Cap for Fiscal Year 2018. <https://www.state.gov/r/pa/prs/ps/2017/09/274464.htm>

⁵⁶ Business Insider. <http://www.businessinsider.com/trump-considers-reducing-us-refugee-admissions-cap-to-lowest-level-in-decades-2017-9>

Discussion: US Immigration Control and Responsibility Sharing

As the United States' government implements coercive policies of immigration control, Tijuana stands out as a point of transit and reception of people who desire to reach the United States and those who have been expelled. The case of the Haitians who had been hosted in Tijuana is an illustration of a major international issue that results from the clash between strict immigration policies and the contemporary population displacement patterns. Moreover, this situation reflects the issue of the "burden-sharing" debate discussed by Gottwald (2014) who questions the industrialized states' commitment to a comprehensive plan of action that addresses the plight of refugees. In fact, I argue that the course of action taken by US immigration policy- in particular action taken towards Haitian asylum seekers- has demonstrated a resistance to such commitment. Because of this, there has been an unequal distribution of the responsibility to protect refugees and other displaced populations across the U.S.-Mexico border, with most of the responsibility falling into the shoulders of local NGOs.

As this study demonstrates, the responsibility to protect displaced populations across the U.S.-Mexico border has often lied in the hands of local NGOs in Mexican border towns like Tijuana. I believe that this fact reinforces my argument regarding the nature of population displacement as a political crisis as opposed than a humanitarian crisis. In my view, as long as population displacement is approached as a humanitarian crisis, the responsibility to protect refugees will be left to NGOs and other humanitarian organizations, which often lack enough capacity to provide enough resources to the people they serve. As a consequence, little will be done to address the policies of exclusion and other legislative measures that not only limit the reception of asylum seekers but also create

stigma such as the “bogus asylum seeker” and other perceptions that discredit the contemporary motives that force millions of people into displacement.

In the following chapter, I will elaborate on the responses of the city of Tijuana to the migration flows that have impacted the city in the last decades. While doing so I will pay particular emphasis on the role of non-governmental organizations, in particular the significant role of the Catholic-based shelter Casa del Migrante, which has provided shelter to migrant populations for over thirty years. In order to do so, I will incorporate participant observation notes from my time as a volunteer at Casa de Migrante. My goal is to provide a context of the main agents that are dedicated to manage migration flows in the city of Tijuana, while pointing out their limitations and struggles.

CHAPTER V

MEXICO AND U.S. RESPONSES TO HAITIAN ASYLUM SEEKERS

In this chapter, I identify and discuss the responses of some authorities and NGO leaders in Tijuana to the arrival of Haitian asylum seekers. The chapter includes direct quotes from interviews that I conducted in Tijuana during the summer of 2017. At the same time, the chapter also offers an account of the U.S. policy implemented since the arrival of Haitians in May 2016. I complement this account with notes from my participant observation and interaction with U.S. border agents at the San Ysidro port of entry. I divided the chapter in different sections, which address the testimony of the individuals I interviewed.

As I have described in previous sections, contemporary population displacement trends are affecting urban centers in developing countries. The case of Tijuana is unique as its history reveals a familiarity with migration flows. However, in the last three decades, the combination of increasing US border control and the increasing influx of populations from different parts of the world, has influenced Tijuana's response to migratory phenomena that occurs at the US-Mexico border. This response includes the establishment of non-governmental organizations (hereafter NGOs) and the creation of agencies and state programs, which aim at protecting migrants, in particular recently arrived deportees from the United States. While these efforts are constantly implemented, in this chapter, I argue that local initiatives are insufficient to keep up with the US immigration policies of exclusion, as demonstrated by the management of Haitian asylum seekers. I make this statement without the intention of criticizing the city's efforts, but

with the purpose of creating awareness about the challenges faced by this border city during critical times. Further, I intend to exhibit how larger global processes of population displacement have an effect in specific localities. In this case, I provide information based on observations and anecdotes I have encountered as a researcher and also as a local from the region.

As this chapter will show, some NGO and local state government's initiatives have spread across Mexico, which the federal government identifies as a country of origin, destiny, transit, and return of foreigners.⁵⁷ Because of their particular role, I begin this chapter with an overview of the role of NGOs and the particular work of Casa del Migrante.

Tijuana Local Response: The Role of Casa del Migrante

The trans-border interactions of the Tijuana-San Diego region have led to the emergence of NGOs dedicated to provide assistance and different types of services to migrant groups. More specifically, the presence of these types of NGOs is attributed to “the conflicting encounter of the Mexican political economy and U.S. border control policies, which result in death, mistreatment, racism, xenophobia, family separation, and violation of human rights” (Avendaño et al, 2000). As a consequence, civil society groups, many of which are led by religious-based organizations in Tijuana have reacted to the challenges faced by those who seek better life opportunities in the border region.

Under this context, Casa del Migrante was founded on April 4, 1987 in Tijuana by Italian Scalabrini Missionaries. The missionaries had the intention of providing

⁵⁷ Insituto Mexicano de Migracion. “Ley Mexicana de Migración y Su Reglamento”. http://www.inm.gob.mx/static/marco_juridico/pdf/Ley_de_Migracion_y_Reglamento.pdf

humanitarian assistance to the poorest migrant community by offering basic services. Since then, Casa del Migrante has received more than 240,000 migrants from different Mexican states, Central America, and many other countries from around the world. In the last 5 years however, about 85 percent of the shelter's guests have been deported migrants from the United States.⁵⁸ The establishment of Tijuana's shelter was followed by the inauguration of similar safe houses in Ciudad Juarez (1988), Tecún Uman (Guatemala), Tapachula (1998) and Agua Prieta (2002). After the publication of *The Cry of the Undocumented* in March 2000 a new network of *Casas* (shelters) was established to support all the shelters located in Northern and Southern Mexico and Guatemala. This network has also focused on the creation of partnerships with other NGOs, local government institutions and other faith groups located across borders.

It is important to mention that shelters like Casa del Migrante are an important source of information for researchers studying the phenomenon of global population displacement. For instance, the use of statistics on asylum seekers and migrants received by the shelter combined with other sources reveals important information regarding the actors involved in transnational migration processes as well as information regarding the responses to the massive arrival of displaced populations. Thus, I believe that assessing the role of this institution is an important piece in my study.

During my fieldwork, I visited the main shelter located at the Colonia Postal in Tijuana. I spent weeks volunteering as well as observing activities and engaging in conversations with personnel, migrants and visitors including journalists and photographers from the Miami Herald and the New York Times, who would reveal

⁵⁸ Tijuana- Red Casas del Migrante. "La Casa de Migrante en Tijuana". <http://www.migrante.com.mx/tijuana.html>

information about the situation of Haitian asylum seekers in the US and those crossing Mexico's southern border respectively.

As I explained in the introduction, my first day at the shelter was marked by a series of events that revealed the limitations of the shelter, as well as the scope of the situation involving Haitian asylum seekers at the US-Mexico border. I believe that it is important to point out that these observations started as soon as I crossed the border from San Ysidro, California to Tijuana. One of the first things I noticed on my way to the shelter was the number of people who were "camping" at the Mexican side of the border, waiting for appointments with US immigration officers. As pointed out by Father Murphy's testimony, the people sleeping in the street included women and children from different nationalities. For me, it was interesting to see contrasting images of children and adults camping in the middle of a border, waiting for a chance to receive refuge in the United States, while there were other people crossing the border back to Mexico carrying their shopping bags from San Diego malls.

During the time I spent observing at the border, I did not see any sort of coherent approach from the US immigration authorities. All I was able to see were lines of people sleeping in tents, which were provided by Mexican authorities. Another observation I made was that some people who were waiting at the "ready lane" to cross to the United States, would buy food or water from street vendors and give them to the asylum seekers.⁵⁹ I think that it is important to mention that in the more than 20 years I have crossed the San Ysidro-Tijuana border I had never seen anything like that. It is no exaggeration to say that the images of those people waiting in despair for an answer from

⁵⁹ The ready lane is a special lane for travelers who enter the U.S. at land ports of entry with identifications that have a chip.

US authorities could only be compared to that of African and Middle Eastern people waiting to cross the European borders in search of refuge.

As soon as I arrived to the facilities of Casa del Migrante, I witnessed a similar scene of disparity: lines of people waiting to receive shelter. When I entered the shelter, it was evident that the shelter's personnel were struggling to deal with an odd situation: hosting recently arrived Haitian asylum seekers, along with Mexican displaced families, deportee men from the United States, and African, East European, South Asian and Central American asylum seekers. The diversity of the groups of people gathered at the shelter represented more than just an accommodation challenge. Many of the people received at the shelter did not speak English or Spanish, especially those from Haiti and those coming from African and Asian countries. Therefore, communication and cultural understanding was a major issue that I observed during my time at the shelter.

My observations on cultural challenges were later corroborated by Casa del Migrante director, Pat Murphy, whom I interviewed in June 2017 during my last visit to Tijuana. During our conversation, he identified some of the major challenges the shelter had during the management of Haitian asylum seekers:

The first challenge of course was language, you know cause there were some who spoke some Spanish, a lot spoke Portuguese cause they all lived in Brazil, but there were moments when we just did not have enough French speaking people, and the other crisis was besides Haitians there were people from 31 other countries coming to the Casa, so it became a mini United Nations, but in the UN they have all the translators, all the materials they need, so that would be number one. Number two, was, we were not prepared to handle that culture [Haitians] at a massive level. You know on 4th of July last year, we had probably a hundred Haitians living in the house.

As Father Murphy explained the cultural challenges he observed at the shelter, I reflected on how the sudden presence of large numbers of foreigners can sometimes lead

to social tensions. In fact, a major argument used by people who share anti-immigrant sentiments has to do with the social tensions derived from the exposure to an unknown group of people who have different culture and/or language. These social tensions are often acknowledged by the individuals who are newly arrived to a society. In the case of Haitians, I would argue that this population has been able to break these social tensions by not only learning the Spanish language but also by “adopting” the local culture. As an example, one would find Haitian people who have remained in Tijuana wearing Mexico’s national soccer jersey or Tijuana’s soccer team hats.

However, this scenario is very different from what it was when Haitians first arrived to Tijuana. When I started my volunteer shift last year, the shelter’s attorney explained to me that they needed help interviewing recently arrived Haitians who were seeking asylum in the United States. The attorney explained to me that it was difficult to talk to them as many only spoke Creole or French. Initially, I was given a survey designed by the shelter’s personnel where they asked migrants about their motivations to leave their country of origin and whether they were planning to ask for asylum in the United States. Just in one day, I interviewed more than 30 people, all males from Haiti who had been living in Brazil and crossed over nine countries to reach the US-Mexico border. The following days and weeks more people from Haiti continued to arrive at the shelter. As more people arrived, the shelter personnel and volunteers began organizing “asylum workshops” where we would provide information regarding asylum procedures in the United States.

In more than one occasion, I participated as a French translator and leader in these workshops where we would explain to people the legal definition of asylum: protection

from persecution or fear of persecution due to race, religion, nationality, membership in a particular social group, or political opinion.⁶⁰ After explaining this definition to Haitian asylum seekers, many of them would explain that they did not feel that any of those categories applied to them. This is when I realized that most of these people who had crossed an entire continent to find refuge in the United States, were most likely going to be denied asylum by US authorities. Yet, as months passed, Haitians and asylum seekers from all over the world continued to arrive in Tijuana, filling up shelters like Casa del Migrante. Below are statistics regarding the number of asylum seekers that were received per month at Casa del Migrante from May to December 2016.

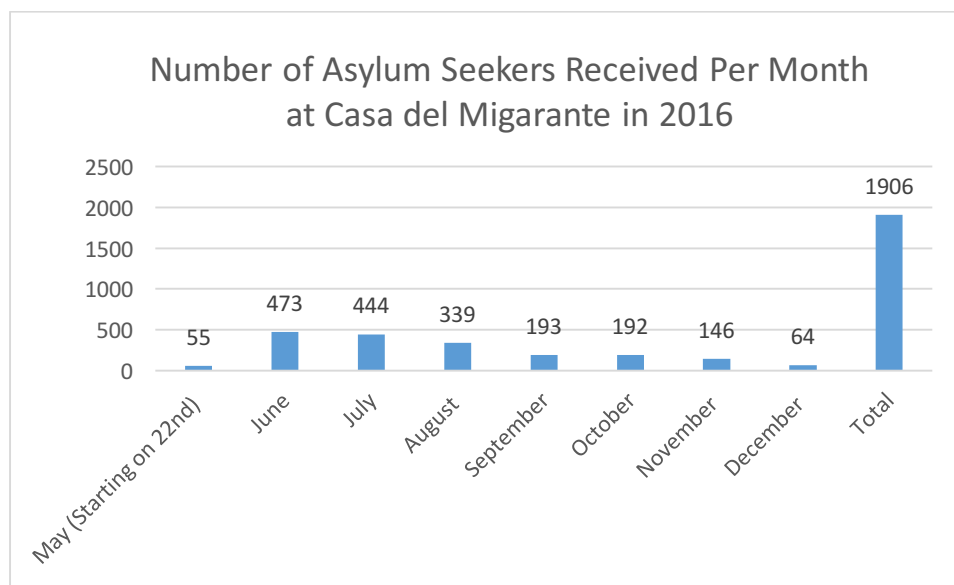


Table 1. Source: Casa del Migrante Tijuana.

As these statistics show, the number of asylum seekers received at Casa del Migrante was higher during the months of June and July of 2016. While the numbers significantly decreased after August, it is important to mention that one of the reasons the numbers decreased was because the shelter did not have capacity to receive more people

⁶⁰ USCIS. “Asylum”. <https://www.uscis.gov/humanitarian/refugees-asylum/asylum>

as many of the people who arrived would stay for indefinite periods of time. Father Pat Murphy explained this situation as a big challenge faced by Haitians arriving to Tijuana:

Another challenge was that unlike the other migrants who come here, either they leave right away or they begin to do some work, but Haitians were not interested in finding work here because their dream was to go to “the other side”, to go to the United States. And this combined by the challenge of how many came, the US could not handle them all, so they divide the system so they would take 50 cases a day, and so, if you take 50 cases a day but 300 arrive in Tijuana, very quickly you get back logged. So I remember back in October, people would arrive at our front door, and they would have their appointment for February so they had to wait for 3 to 4 months. So what would they do? They stayed at the house, or they stayed at the streets, so it was really a big challenge.

As Father Murphy described, US authorities began delaying the asylum appointments to asylum seekers, forcing many of them to stay in shelters in Tijuana for long periods of time. In other words, there were individuals who did not receive shelter at Casa del Migrante due to a lack of capacity to receive people. In fact, when I volunteered at Casa del Migrante in summer of 2016, one of the main problems was that as more people arrived, there was less space for them at the shelter, which forced asylum seekers to find alternative accommodations in remote and impoverished neighborhoods such as Cañon del Alacrán (Scorpions Canyon), where there have been unofficial attempts by community members and Haitians to build a “Little Haiti”, or a neighborhood where Haitian people could build houses. This situation is comparable to that of the first Haitians who arrived to the border city of Tabatinga in Brazil between June of 2011 and February of 2012. While Haitians were able to enter Brazil due to the cooperation between the two countries, it was reported that living conditions of Haitians in certain parts of Brazil were very precarious. In the case of Tabatinga -a border city located in the Amazons-, the lack of shelters led a group of Haitians to gather in an abandoned hotel,

which was eventually known as “The House of the Haitians” where 118 people would share one bathroom (Veran et al, 2014). Similarly, in Tijuana, Haitians have been forced to find alternative shelters.

On the other hand, personnel from Casa del Migrante informed me that the decrease in the numbers of asylum seekers received at Casa del Migrante was also due to a reduction of people arriving to the shelter. While there is no certainty as to why the influx of people diminished, it is arguable that it was due to the election of Donald Trump on November 8th, 2016. In fact, looking at Figure 4, it is revealed that from November to December of 2016, the number of asylum seekers decreased almost in half from 146 to 64 individuals. In fact, when I volunteered at the shelter in June of 2016, I was constantly asked by Haitians asylum seekers about the upcoming US elections. For instance, asylum seekers would ask me whom I thought was going to win the presidential election. They would also ask me whether a victory by Hilary Clinton or Donald Trump would be more “convenient” for them based on their situation.

These kinds of questions made me realize that while these people were in a vulnerable situation, they were conscious about the impact of foreign policy on asylum processes. This fact demonstrates that even those populations which are forced into displacement still have agency, as they are able to make choices regarding their movement. In fact, agency is an important aspect in the discourses of migration as stated by Yarris and Castañeda (2015), who claim that “acknowledging agency and resilience should not imply that refugees are undeserving of social and political support” (68). That is, rather than judging agency or choice as a characteristic of the bogus asylum seeker

who is condemned for “choosing” to migrant as opposed to “being forced”, agency should be counted as a dimension of displacement.

In the case of the Haitian population in Tijuana, their mobilization from Brazil to the United States after Brazil’s political crisis could be seen as a choice, which was taken based on economic reasons. However, the fact they chose to find alternative options as opposed to going back to Haiti demonstrates that the circumstances of their country of origin and host country impacted their choice. Yet, because of this choice, they would find themselves stranded in a border where they would encounter exclusionary immigration policies. As stated before, groups like Casa del Migrante have responded to the clash between clandestine migration and strict border control. As a result, on summer of 2016, Casa del Migrante faced unprecedented numbers of foreigners who arrived to the shelter to find accommodation while they waited for their appointments with US immigration authorities. Below are statistics showing the number of asylum seekers received at Casa del Migrante based on nationality⁶¹.

⁶¹ The statistics were provided to me by Casa del Migrante’s Program Coordinator. The numbers were gathered by volunteers including myself and other people at the shelter who worked and/or volunteer. The graph in this study was created by myself.

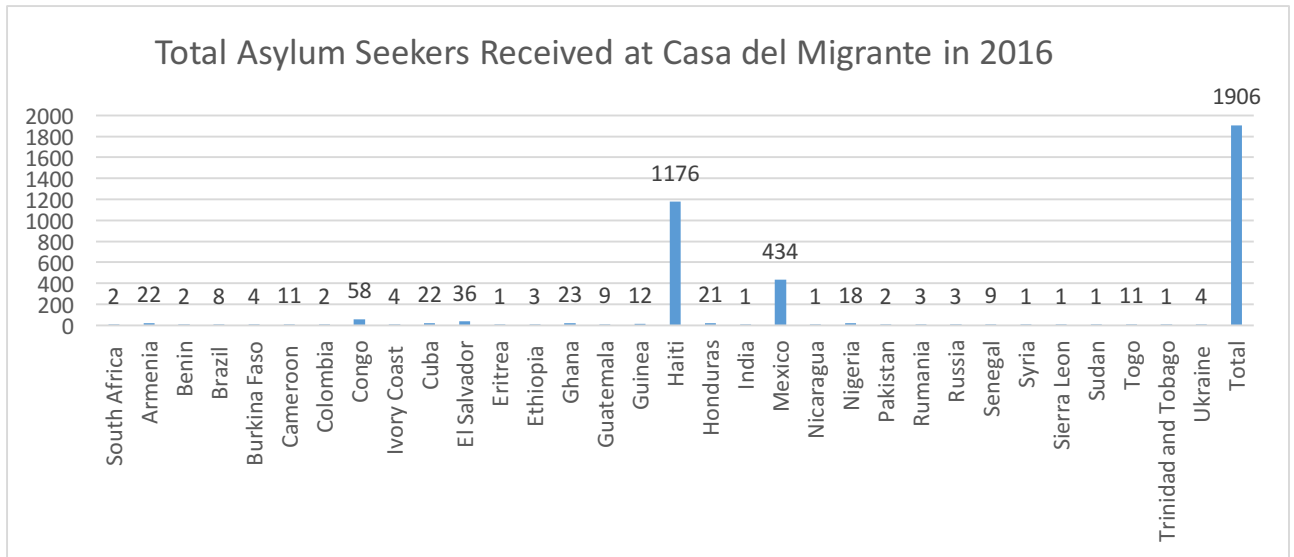


Table 2. “Total Asylum Seekers Received at Casa del Migrante in 2016”. Source: Casa del Migrante.

As these statistic reveal, from the almost 2,000 asylum seekers received at Casa del Migrante last year, 61% were individuals from Haiti, followed by 22% of Mexicans and 3% Congolese, and the rest being from Central American countries like El Salvador, Honduras, and Guatemala. It is important to mention that these numbers refer only to asylum seekers and that during this time Casa del Migrante also received deportees from the United States, as well as transit migrants who were on their way to the United States. As the shelter filled up with people, the government of both the United States and Mexico responded in different ways.

International State Responses: Mexico and the United States

As a consequence of stricter U.S. border enforcement, transit migrants who attempt to cross the US-Mexico border experience higher risks. Different scholars have addressed the struggles of migrants in the region. Most notably, Cornelius (2006) has analyzed how U.S. border enforcement policy has forced undocumented migrants to take

dangerous routes to the U.S., resulting in the multiplication of deaths at the Arizona desert. Similarly, De Leon (2015) has explored the human costs of border enforcement, arguing that US CBP deliberately leaves undocumented migrants to perish in the desert, a strategy which described as “Prevention Through Deterrence” (PTD). In addition, the increasing drug-related violence that has affected Mexico since ex-President Felipe Calderon declared the War on Drugs in 2006, has made border towns like Tijuana more dangerous for the transit and settlement of migrant populations.

Because of the different concerns regarding the fate of transit migrants and deportees that Tijuana receives, local authorities, with support of state and federal governments, have established different agencies and programs aimed at protecting vulnerable migrant populations. While these efforts leave room for improvement, they demonstrate Mexico’s official commitment to approach migratory phenomena from a humanitarian perspective. Below is a description of Mexico’s asylum policy, one of the most notable agencies that has played a role in the managing of the arrival of Haitian asylum seekers.

Mexico’s Governmental Response: Refugees and Asylum Policy

Historically, Mexico has positively responded to refugees and asylum seekers since the 1930s and 1940s, when the country received over 25,000 Spanish republican exiles during the Spanish Civil War.⁶² Between the 1980s and 1990s, Mexico received people escaping from political regimes in South America and Central American. More

⁶² Kadner, M. (March 28, 2017) “El Exilio republicano español en México: una historia de agradecimiento”. El País. Web.

recently, in 2008, Mexico received as estimated 300 asylum applications and granted refugee status to more than 100 applicants, half of which were people from Haiti.⁶³

That same year, Mexico approved a legislative migration reform, which decriminalized irregular migration, stating that migrants are subject to rights regardless of their legal status.⁶⁴ Today, Mexico's asylum policy is shaped by Mexican Migration Law 2011. Even though it enacted important provisions to guarantee the protection of migrants' rights, critics argue that its implementation has been weak and to some extent, unconstitutional (Castilla Juarez, 2014). While Mexican law has established significant reforms, the massive arrival of Haitians to Tijuana has been facilitated by the porosity of the Mexican southern border with Guatemala and the appearance of unofficial travel "agencies" which help transport migrants to Tijuana. As an example, the newspaper *El Universal* reported the "proliferation" of *Tijuaneras* or bus travel agencies, which would transport about 1,500 Haitians a day from Chiapas to Tijuana and Mexicali.⁶⁵ As thousands of Haitians were transported to the U.S.-Mexico border in summer of 2016, different actors struggled to manage their massive arrival.

Mexico's State-Humanitarianism: The Role of Grupo Beta

In 1990, the state of Baja California created a pilot program known as Grupo Beta Tijuana, whose main objective was to assist migrants who had been victims of crime

⁶³ Alba, F. (February 25, 2010). "Mexico: A Crucial Crossroads". Migration Policy Institute. Web.

⁶⁴ Instituto Mexicano de Migración. "Ley Mexicana de Migración".

⁶⁵ Peters (October, 14, 2016). "Proliferan Tijuaneras por éxodo de inmigrantes". *El Universal*. <http://www.eluniversal.com.mx/articulo/estados/2016/10/14/proliferan-tijuaneras-por-exodo-de-inmigrantes>

during their transit through Mexico.⁶⁶ In 1994, a Grupo Beta was established in Nogales, the following year two other groups were established in Tecate, Baja California and one in Matamoros, Coahuila. At present, there are twenty-two Grupo Beta stationed in nine states including Baja California, Sonora, Chihuahua, Coahuila, Tamaulipas, Veracruz, Tabasco, Chiapas y Oaxaca. Under the motto “Vocación, Humanismo y Lealtad” (Vocation, Humanism, and Loyalty) the main objectives of Grupo Beta include: humanitarian aid, first aid, migratory assistance, orientation, and information for migrants.⁶⁷

It is important to note that Grupo Beta was one of the first agencies to provide assistance to the Haitians and many other asylum seekers from different nationalities who began arriving to the US-Mexico border in May of 2016. The main function of Grupo Beta was to provide medical assistance and to offer free transportation to migrants from the border to the different shelters. However, during the massive arrival of asylum seekers, Grupo Beta had a special role by monitoring the appointment dates for Haitian asylum seekers at the San Ysidro port of entry. During my volunteer time at Casa del Migrante, there were rumors that U.S. officers were only going to receive those people who had a ticket issued by Grupo Beta. That is, instead of allowing them to enter the country, U.S. immigration authorities were strategically using Grupo Beta to control the influx of people. While this could be argued to be a “partnership”, it also seemed that U.S. was outsourcing its border enforcement policy through this agency founded by the

⁶⁶ Instituto Nacional de Migración. “Grupos Beta Protección al Migrante. Web. <http://www.gob.mx/inm/acciones-y-programas/grupos-beta-de-proteccion-a-migrantes>

⁶⁷ Ibid.

Mexican state. In fact, the media has reported that in some occasions, Mexican authorities have turned away asylum seekers who were referred to them by US immigration authorities.⁶⁸ As a consequence, people who reach the US – Mexico border in search of asylum are faced with the uncertainty of not being able to find solutions to their situation of displacement.

In an interview I conducted with the Coordinator of Grupo Beta, it was clarified that the group did not issue any tickets to asylum seekers but rather managing a controlled influx of people to the U.S. immigration offices:

We would give them the dates based on a tentative crossing schema. That is, if the U.S. were receiving 50 people tomorrow, we would give 50 numbers from 1 to 50 so that there would be an order, more than anything we wanted to have an order, if we had not had an order I don't know where we would have ended up.⁶⁹

When I asked whether the “crossing schema” idea had been designed by Grupo Beta in coordination with U.S. authorities, the director responded that the idea had come from Grupo Beta and the director of the Mexican Institute of Migration. Regarding the collaboration between Mexico and the U.S. during the arrival of Haitian people to the border, the Grupo Beta director commented:

There has always been coordination, but they (U.S. authorities) never demanded or asked anything from me. I told them “hey, let's keep some sort of control, why don't we do this”, and they were like “ok, good idea” and that was it.

⁶⁸ Partlow, J. (January 17 2017). “US border officials are illegally turning away asylum seekers, critics say”. *Washington Post*. Web.

⁶⁹ The Grupo Beta Director asked me not to reveal his name on this study.

Currently, the Grupo Beta office located at the Mexican Insittute of Migration (INM) in Tijuana is working as a “regulazion” center, where officers help Haitian people regulate their immigration status in Mexico. The day I interviewed the Grupo Beta director, there was a big group of Haitian people waiting outside the INM where they were procesing the paperwork to issue their “visas for humanitarian reasons”, which are offered by the Mexican government to those foreingners who are victims of natural disasters or violence or those who come to the country to help in emergency situations. Through these visas, Haitian people will be able to legally reside and work in Mexico, where, according to the Grupo Beta director, there is a need for labor.

It is important to mention that when I asked the director of Grupo Beta whether the arrival of Haitians had been a crisis, he mentioned that he would not call their arrival a “crisis” as it had been controled and that the situation was now “calmed”. Certainly, this view differs from the observations of shelter director Pat Murphy and other NGO leaders, who have categorized the massive arrival of Haitians to Tijuana as a humanitarian crisis.

Tijuana’s NGOs and Locals Response

The director of Tijuana’s Binational Center of Human Rights and San Diego State University professor Victor Clark-Alfaro labels the arrival of Haitians as a humanitarian crisis while criticizing the Mexican government response to the phenomenon:

The state responded with a rhetoric that gave the impression that there was no crisis. First, it denied the existence of a humanitarian crisis and then responded with a rhetoric denying the reality and assuming that the government would provide resources. The state basically left the magament of this population [Haitians] to the society.

During my visit to Tijuana in December of 2016, I talked to people whose families had temporarily “adopted” Haitian people by offering shelter at their homes as accommodation in shelters was scarce. The people I talked to were from the town of Rosarito, which is located 12 miles south of Tijuana. While the family did not provide many details, they mentioned that they would offer shelter to a Haitian couple, which would remain at their place until they could go to their asylum appointments with U.S. authorities.

As a matter of fact, public documentaries and local news also reported that some families were offering shelter to people who had not been able to find accommodation at local shelters. Through these kinds of actions, it was demonstrated that the local society had to intervene and offer their solidarity due to the lack of capacity, which was not solved by the local and federal state authorities who were denying the existence of a crisis.

Along these lines, Clark-Alfaro explained that the arrival of Haitians to Tijuana had been a crisis due to the large amount of people who arrived in a very short period of time. During the crisis, Clark-Alfaro received Haitians who came to his office in search of asylum guidance to the United States. Based on his communication with the U.S. consul in Tijuana, Clark-Alfaro explained that he would tell Haitians that U.S. authorities were most likely going to deny their asylum claims and deport them back to Haiti as they did not qualify for asylum.

During conversations I had with Haitian people, the great majority of them mentioned employment and economic opportunities as their incentives to come to the United States. As these reasons are not considered worthy of asylum, Haitians had to

confront the U.S. measurements of control and rejection, which has led many to deportations and many others to reconsider their options by starting a new life in Mexico.

US Response: Control and Rejection

As a party to the 1967 Protocol Relating to the Status of Refugees, the United States has complied with international laws and conventions that enable people to claim asylum based on persecution. Most notably, thirty-seven years ago, the United States enacted the Refugee Act of 1980, which created the Federal Refugee Resettlement Program to offer refugees efficient resettlement and assistance to become economically self-sufficient in the United States.⁷⁰ In other words, the Refugee Act of 1980 can be considered the milestone legislation that created the refugee protection policy in the United States. Among its different goals, the Refugee Act aimed to establish a procedure for foreigners that presented themselves physically at US ports of entry to apply for asylum (Kerwin, 2015). Based on this procedure, US authorities are required to process asylum seekers and interview them. However, as Andersson (2014) reports, US authorities often interrupt and/or delayed the asylum procedures of those who try to enter US territory.

In the case of the recent arrival of Haitians to the US-Mexico border, US authorities have followed inadequate practices, which include the delaying of asylum procedures, incarceration, and deportation of people seeking asylum. Claiming that they were not prepared to receive large amounts of people, the US immigration authorities at

⁷⁰ Office of Refugee Resettlement. "The Refugee Act". (August 29, 2012). Web. <https://www.acf.hhs.gov/orr/resource/the-refugee-act>

the San Ysidro port of entry began to delayed the number of appointments to asylum seekers.

This is something that I observed at Casa del Migrante. During my first days volunteering at the shelter, recently arrived Haitians would usually have their asylum appointment within couple of days. However, as time passed, appointments would be scheduled within 2 or 3 weeks. On a trip to Tijuana last December 2016, I was surprised to find out that asylum appointments would take 3 to 4 months to happen. In the meantime, thousands of Haitians had to remain in Tijuana. As Andersson (2014) has pointed out, waiting is a technique employed for purposes of migration control. While waiting could be portrayed as an inevitable strategy to improve the efficiency of asylum processes, especially when large amounts of people present themselves at a port of entry, I believe that making Haitians wait for months to receive an appointment is a strategy to discourage them to seek asylum in the US. I confirmed this supposition last December, when after having conversations with different Haitian asylum seekers who were “stuck” in Tijuana, some of them revealed they had decided to remain in Tijuana as they had already found jobs. In other words, the “American Dream” had transformed into a “Mexican Dream”, where Haitians were expecting to initiate a new life in the border town.

On the other hand, those Haitians who had been admitted in the US have to face the new shifts in US immigration policies. On September 22, 2016- which, coincidentally was the month when the highest number of Haitians arrived to Mexico⁷¹ - the former

⁷¹ According to SEGOB statistics, 4509 Haitians arrived to Mexico in September 2016 through the Southern Border without documents.

Secretary of the Department of Homeland Security (hereafter DHS), Jeh Johnson announced the resumption of regular removals of Haitians who had been recently apprehended at or between ports of entry. In justifying this policy shift, Johnson claimed “improved conditions in Haiti” after the 2010 earthquake.⁷²

A couple of weeks later, on October 7th 2016, Hurricane Matthew hit Haiti, affecting over 350,000 people and leaving “a major blow to Haiti’s reconstruction effort and fight against cholera”. In light of this event, Secretary Johnson issued a new statement on October 12th, 2016, where he explained that while removal flights had been suspended temporarily, DHS intended to resume deportations as soon as possible since the policy change announced on September 22nd was still in effect (DHS, 2016). The US government’s stand on Haiti’s crisis and the presence of asylum seekers at the border did not seem to correspond to the state of emergency that Haiti was experiencing.

In addition to these policy changes, during the times I crossed the San Ysidro port of entry, I detected a sense of skepticism about Haitians’ asylum claims from border patrol agents who would question my work at Casa del Migrante. On two occasions, CBP agents asked me question regarding the Haitian people who were at the shelters. When I explained that I was conducting research for my thesis on Haitian refugees, they responded that “Haitians were not refugees”. On one particular occasion, one agent said to me:

They [Haitians] are not refugees. They are not escaping from war or anything. They are uneducated, they don’t have skills, they don’t speak English, they are here cause they want jobs and that’s it.⁷³

⁷² Department of Homeland Security (September 22 2016). “Statement by Secretary Johnson Concerning his Directive to Resume Regular Removals to Haiti”.

⁷³ Conversations with an unidentified border patrol agent at the San Ysidro port of entry.

At that point, I did not want to have an argument with the border patrol officer, so as soon as he gave me my passport back I decided to keep walking. Two days later, I had another interaction with a US border patrol agent who tried to appeal to my patriotism to question the deservingness of Haitians to receive asylum in the United States.

As an American, how many of them [Haitians] do you want to receive in your house? How many can you afford to feed? We give them asylum here but we have to sustain them because they cannot work. So, tell me, how many can you afford?.⁷⁴

After these interactions, I was somehow confused about whether these kinds of questions by US border patrol agents were ethical or not, as I wondered whether these types of attitudes were based on personal opinions or policy. Yet, it was clear to me that US immigration authorities had already put the tag of the “bogus asylum seeker” on Haitians, whose reasons to migrate were considered not only invalid but, to some degree, threatening to the American society. Furthermore, these interactions demonstrate how the international asylum law has become intertwined with the rising global concern about illegal immigration (Dauvergne, 2008).

As I have explained in Chapter II, the US concerns about illegal immigration increased during the period of neoliberal globalization, more specifically, after the passage of NAFTA in the 1990s. During that decade, the economic gap between Mexico and the United States increased, resulting in higher rates of illegal migration from Mexico and tougher border control measures from the United States as illustrated through Operation Hold the Line and Operation Gatekeeper. After observing the responses to

⁷⁴ Ibid.

Haitian asylum seekers by US immigration authorities, it is possible to argue that the efforts intended at limiting illegal immigration in the last decades has a punitive effect on asylum seekers today.

Based on evidence provided here, it can be argued that the attitudes of CBP agents, along with other responses including the incarceration of Haitians, demonstrates the diagnosis of forced migrants as “illegal migrants”. Scheel and Squire (2014) explain that addressing forced migrants as “illegal” migrants “can be read as a particular mode of *problematization*; as a particular form of *targeting* migrants; and/or as a process of actively *producing* forced migrants as illegal migrants” (192). This problematization and production of forced migrants as illegal migrants is evident in the incarceration of Haitians who attempt to seek asylum. For example, earlier this year, *The Atlantic* reported that Haitians who had been detained at the border had been sent to Otero County Prison in New Mexico as well as to remote facilities in Yakima County jail in the state of Washington.⁷⁵ The use of additional methods of surveillance to confine asylum seekers and migrants has been identified by Bosworth (2008), who describes the dualism of these methods of border control:

Prisons or immigration removal centers are singularly useful in the management of non-citizens because they enable society not only to physically exclude this population, but also, symbolically to mark these figures out as threatening and dangerous.

To build on Bosworth’s argument, I think it is important to mention that not only these type of coercive border control methods create an image of immigrants as

⁷⁵ Sakuma, A. (February 18 2017). “Donald Trump’s Plan to Outsource Immigration Enforcement to Local Cops”. *The Atlantic*. Web. <https://www.theatlantic.com/politics/archive/2017/02/trump-immigration-enforcement/517071/>

dangerous threats but, as discussed earlier, I believe that they contribute to the construction of the “bogus asylum seeker”, which undermines the reasons that force people into displacement. That is, the depiction of displaced people of individuals who do not have legitimate reasons to seek protection reinforces the view on these people as a threat to national security of the host state. For this reason, it is important to question the border enforcement actions taken by industrialized nations, as they seem to implement strategies to “produce” illegal migrants. As an example, the continuous detention of asylum seekers in prisons and other types of law enforcement facilities sends a message to society that the actions – in this case migration- of asylum seekers and migrants are illicit and pose a threat to the people.

The detention of asylum seekers in these types of facilities illustrates Ruben Andersson (2014) notion of an *illegality industry*, which refers to “the system in which illegal migration is both controlled and produced” (12). Pointing out the notion of the *illegality industry* is important, as it explains how the discourses of migrants and refugees are influenced by a system that has been established to criminalize international migration rather than to regulate it. It is important to keep in mind however, that this system seems to be perpetuated mostly by Western, industrialized countries. Looking back at the background of the Haitian’s arrival to the US-Mexico border, the majority of these people are individuals who had been given humanitarian visas in Brazil, a developing country in the Global South. As I discussed in Chapter II, the contradictory responses to Haitians by Brazil and the United States can be explained by the global power dynamics that affect these countries’ relationships with Haiti, as well as their foreign policies towards international migration.

Discussion on Responses to Asylum Seekers

The argument I am pursuing here is that while the international community has established conditions to keep refugees away from the illegal immigration controversy, the changing nature of forced migration is testing the international asylum and humanitarian system. Furthermore, the different responses to displacement are impacted by the politics and power relationships, which include the positioning of countries and localities. For one side, Global South countries like Mexico has demonstrated more flexibility to the reception of forced migrants. However, this response has been limited to allowing the transit of people through the southern border, without a plan of action for those who get stranded in Tijuana. Even though Haitians have the possibility to legalize their status in Mexico as they did in Brazil, I do not think that this is a durable solution to the persistent challenges of population displacement. As shown in the testimony provided in this section, the massive arrival of Haitians at the US-Mexico border has been mostly managed by humanitarian oriented groups and shelters, which have limited capacities to handle both the basic and long term necessities of asylum seekers.

The contemporary challenges presented by displacement need to go beyond humanitarian responses, and incorporate a change of policy. As the refugee problem remains as relevant as ever, the international community needs to implement actions that respond not only to the immediate needs of asylum seekers but to the factors that influence the movement of people across borders. In the following chapter, I discuss potential actions that could lead to durable solutions for displacement.

CHAPTER VI

CONCLUDING REMARKS AND IMPLICATIONS

The main purpose of this study is to point out the limitations of our understanding of contemporary population displacement trends. Through historical evidence, I demonstrate that the Haitian diaspora has been influenced by the convergence of several factors including political oppression, economic deprivation, and natural disasters. In this regard, the new concept of “crisis migration” seems to be more adequate to describe the reasons of migration of the Haitian population, which has been affected by constant crises since its independence from France.

From policy to popular opinion, much focus has been placed on the impact of refugees on Western, industrialized countries, overlooking the effects on hosting localities in the developing world. The case of Haitians at the U.S.-Mexico border illustrates the scope of current displacement trends, and how these challenge the international refugee and asylum system, as humanitarian organizations in host localities struggle to manage the influx of new displaced populations whose reasons to migrate are considered invalid and threatening to the national security of powerful countries.

To some extent, the distinction between economic migrants and refugees is questionable in a globalized world marked by unequal power relationships and increasing border control. Massive displacements like the Haitian diaspora should lead to a new and more comprehensive approach to population displacement. In this case, a multi-scalar global approach that addresses the positioning of the migrants’ places of origin, transit points, and recipient countries is useful to understand the dynamics of contemporary population displacement. While using this approach, a historical background of the power

relationships between states is necessary as it provides a context on the failure and success of the migratory policies that have been applied.

Because of the complexity of the drivers of forced migration, an increasing number of people fall outside the legal framework of protection in industrialized nations. As the refugee regime does not accommodate to the evolving patterns of displacement, it is evident that international governments, humanitarian organizations, and host communities face increasing challenges that surpass the political and humanitarian responses I discussed in this study. As exposed by the evidence from Casa del Migrante, humanitarian organizations are limited to provide displaced populations with basic needs (e.g. shelter, food, medical attention, information). However, the response to displaced populations cannot be addressed only as a humanitarian crisis. Rather, population displacement and the inefficiency of its responses must be viewed as a crisis in the international refugee protection system, which is impacted by the political agendas of governments.

As demonstrated in this study, the current population displacement trends have significant implications regarding the prevention, response, and resolution of human population displacement. A holistic approach should include political factors involving the positioning of places of origin and settlement in the hierarchies of powers. Failure to conduct a comprehensive assessment of the causes of population displacement leads to fragmented and ineffective responses, which contribute to the vulnerabilities of displaced populations.

On the other hand, contemporary population displacement trends must be addressed by researchers that incorporate a multi-scalar approach, that not only

recognizes the relationship between migration and specific cities, but it approaches the role of different actors that influence the processes of international migration. In this manner, it is important to discuss the implications that the case of Haitians asylum seekers has for research and policymakers, which have the duty to create new and effective solutions to displaced people.

Implications for Research

Traditional theories of migration have placed much focus on the economic factors that motivate the mobilization of people across borders. Even though economic opportunities are important aspects considered by displaced people who engage in South-North migration patterns, failing to assess the multiple factors that cause displacement results problematic as it creates a tag on people who escape from impoverished nations. While Haiti has been regarded as the poorest nation in the Western hemisphere, this study has shown that thousands of Haitians have sought asylum in the United States as a consequence of years of political oppression, economic deprivation, and environmental disasters that have impacted the country. For this reason, the recent arrival of Haitians to the US-Mexico border needs to be analyzed from a contemporary perspective. In this case, the concept of *crisis migration* “reflects the historical reality and significance of movement as a crucial response to crises” (Martin et al, 2014). In this study, I attempt to demonstrate that the motivations for Haitians to seek asylum are not based on one single event, but a consequence of a series of processes that include the intervention of external actors including the United States, Brazil, and the United Nations.

Another important point I demonstrate is the conflicting discourses on migration, and how these affect the different responses to displaced populations. In accordance with Yarris and Castaneda (2015), my research exposes the principles of contemporary states regarding their political agendas and how these determine the deservingness of protection of displaced populations. As I have shown, the United States government's policies of exclusion have directly affected Haitian displaced people, while contributing to the discourse of the "bogus asylum seeker", which is perpetuated by the skepticism of border patrol agents who sometimes deny people to right to seek asylum.

By including ethnographic work such as notes from participant observation that took place at the migrant shelter Casa del Migrante, I was able to provide insights on the role and limitations of humanitarian actors. As described by Couldrey and Herson (2016), the existence of populations in protracted displacement and the failure to find solutions to their needs point to the pressing need to take actions that cannot be taken by humanitarian groups alone. At Casa del Migrante, it was evident that the work of volunteers and personnel was barely enough to offer assistance to the different groups of people who were able to receive shelter. Yet, providing the perspective from humanitarian organizations is useful as it reveals the impact that international policy has on localities that host displaced people. In the case of Casa del Migrante in Tijuana, the history of its foundation is related to the immigration policies of the United States, which affect the dynamics of the US-Mexico border including the arrival of deportees and the transit of irregular migrants. Regarding the case of Haitian asylum seekers, the shelter's struggles to respond to the numbers of people who needed assistance was directly related to the fact that US authorities were delaying the intake of asylum seeker interviews.

Based on this evidence, I believe that transnational migration scholars need to pay more focus on how displacement and the vulnerabilities of displaced people cannot be treated only as a humanitarian crisis. Rather, the policies and politics of states that intake refugees and deny asylum need to be analyzed from a perspective that looks into the positioning of the parties involved. It is important to mention that when addressing international migration trends, research tends to focus on individuals' motivations as if the decision to mobilize was based on single, specific events. Thus, cases that involve populations that mobilize across different borders need to be analyzed from different angles that include the historical context of the power relationships among the countries involve in the processes of international migration.

Implications for Policy

As illustrated in this study, contemporary dynamics of population displacement challenge the concepts and practices established by the 1951 Geneva Refugee Convention Relating to the Status of Refugees. The multiple factors that affect displacement questions the responses of policymakers as more people fall outside the official category of refugees. In the case of Haitian people, their reasons to seek refuge are considered invalid by US immigration authorities, which have profiled Haitians as people undeserving of protection. In this manner, the case of Haitians who presented themselves at the US-Mexico borders as refugees shows the gap between contemporary patterns of forced migration and the normative framework which is supposed to protect the rights, dignity, and safety of displaced populations.

As unusual numbers of Haitian people arrived to the US-Mexico border, the US responded with policy shifts that include the resumption of removals of Haitian nationals to Haiti, under the statement that Haiti had shown improvements in its conditions after the 2010 earthquake. While this policy involved those people who had been in the United States for years, by declaring that Haiti's conditions had improved the US sent a clear message to Haitians who were attempting to seek asylum.

This political response demonstrates that, despite its formal commitment to the protection of refugees, one of the United States government's priorities is to put forward its own national interests through strict border control. In addition, it is important to mention that the rise of right-wing ideology that resulted from the presidential election of Republican candidate Donald Trump and the resistance to the admission of refugees is fueled by and maintained by negative representations such as the image of the "bogus asylum seeker". This is specifically evident in the attitudes of US customs and border patrol agents that I describe in the previous chapter.

Because policy plays a fundamental role in the management of displaced populations, displacement needs to be addressed as an international political issue rather than merely a humanitarian problem. Evidence from Casa del Migrante in Tijuana demonstrated that the assistance provided to asylum seekers who were stranded in Tijuana was complicated by the measures taken by US authorities. Yet, this is not the first time that Tijuana is affected by US immigration policies. As the history of the border town suggests, Tijuana's civil society and local authorities have had to respond to the immediate needs of people who attempt to cross border to the United States as well as those who are deported and/or denied entry to the United States. In this manner, it is

confirmed that the regimes of restriction that are perpetuated by First World countries result problematic when these encounter mass displacements from the Global South.

Another significant point raised by this research is that the study of forced migration cannot be understood without making reference to nations' borders. In this case, the mobilization of Haitians shows the discrepancy between border control in the Global South and the industrialized world. On one side, Mexico's southern border has been criticized for its porosity, broken security, and the lack of coordination by migration authorities. The combination of these flaws facilitated the sudden arrival of Haitian people to the city of Tijuana, where both local authorities and humanitarian actors were not prepared to receive this population. On the other hand, once these people arrived to the U.S. border, they encountered surveillance, containment, and rejection, which has forced many to remain in Tijuana, where they had to depend on humanitarian actors to meet their basic needs. Thus, this case demonstrates how populations on the move are often trapped in a limbo that is created by divergence in border policies. This is why I believe that it is necessary that Mexico and the United States find a way to coordinate their policies so that they can reduce the risks of displaced populations.

Potential Solutions: Changing the Discourse on Displacement

As demonstrated by the case of Haitian displaced people, most of the drivers of displacement are structural, political, and economic factors. At the same time, it is important to point out that most of the factors confining sustainable solutions for displaced people - such as economic opportunities, rule of law, and even the right to apply to asylum - are political in nature rather than merely humanitarian. Therefore, a

first step to address the “refugee problem” is to recognize that displacement is a political matter and not only a spatial problem that is solved with the entrance and removal of refugees. In this study, I have attempted to demonstrate how the displacement of Haitians across the Americas has been influenced by the geopolitics of Haiti, Brazil, the United States and the history of Tijuana as a transit city in the US-Mexico border. By analyzing the geopolitics of these countries and Tijuana’s historical context, it is possible to observe that displacement is often impacted by people’s political ability to move across borders.

As Long (2014) has pointed out, restrictions on displaced people’s capacity to move are counterproductive. Many forced migrants that also experienced economic respond by unauthorized immigration, which increased their risks of being trafficked and exploited. The case of Haitians who have crossed South and Central America to reach the US-Mexico border is proof of this statement. A population that has historically been limited and in many cases denied the right to seek asylum, will seek alternative ways to find security. In this case, Haitians have experienced the rejection and exclusion of U.S. immigration law since the 1960s, yet they continue to seek new admission to the United States. Moreover, Haitians are now finding new and more dangerous routes crossing Latin America to reach the U.S. As people engage in new patterns of displacement, policymakers need to address these patterns and update the political discourse of international migration and in particular forced migration.

Even though there is a constant need for greater humanitarian assistance- such as shelters with more capacity, resources and volunteers-, current displacement trends cannot be neither addressed nor be solved by humanitarian actors only. Because of governments’ and international institutions’ failure to recognize the contemporary drivers

of forced migration, there is a persistent lack of official solutions. In spite of this scenario, policymakers and people in general tend to view population displacement as a humanitarian problem. This narrow view of displacement often results in short-term, limiting responses. Humanitarian actors do not possess the capacity to ameliorate the long term needs of displaced populations who are stranded between borders waiting to receive refuge. As long as policymakers do not address the multiple factors that lead to population displacement, more people will fall outside the legal system of protection. Therefore, attempts to address the drivers of forced migration and to provide durable solutions for the people affected require a broader understanding of the causes of displacement.

Under this context, this research is a call for action to the international community including policymakers and supranational institutions, (e.g. United Nations) which have failed to address the fundamental discrepancy between current patterns of displacement and existing frameworks of protection that are assumed to safeguard the rights and dignity of populations in displacement. Amidst the complexed factors leading to displacement and the current framework of refugee protection, it is undeniable that states, transnational institutions, and humanitarian actors are confronting various challenges that surpass the legal and political responses to refugees. Thus, there is an increasing need for better policies that can bring sustainable and durable solutions to the various challenges of forced migration. To achieve these solutions, the international community will have to reframe its understanding of the contemporary displacement patterns and offer new responses to displaced populations across the globe.

Afterword

I would like to add that my experience as a volunteer at Casa del Migrante during the massive arrival of Haitian asylum seekers to Tijuana was extremely gratifying. As a volunteer, I was not only able to conduct scientific observations but I also contributed to the local efforts to aid a population in despair. From the young scholars from all over the world who also volunteered at the shelter to the local women who would cook every day to feed hundreds of people, the efforts to aid Haitian asylum seekers in Tijuana really made a difference in their experience of displacement. Based on this experience, I became convinced that the development of durable solutions to displacement must first start from grassroots movements rather than legislation. As I attempt to do in this study, I firmly believe that the insights of locals, NGO leaders, and above all, the experiences of displaced people need to be heard and be taken into account by policy makers and global institutions who regulate the mechanisms of immigration.

APPENDIX A

INTERVIEW QUESTIONS TO CASA DEL MIGRANTE DIRECTOR

The following questionnaire was used for the interview to Casa del Migrante Director, Father Patrick Murphy. The interview took place in Tijuana, Mexico on June 2017.

1. What makes the present Haitian humanitarian crisis different than other crises that have affected in Tijuana?
2. What have been the main challenges of the Casa del Migrante during the Haitian humanitarian crisis?
3. What has the shelter responded to this challenges?
4. What services do you provide o this particular population?
5. 3. How effective has been the support of other actors in the crisis? (e.g. the state, civil society). What else is needed?

APPENDIX B

INTERVIEW QUESTIONS TO VICTOR CLARK ALFARO

The following questionnaire was used to interview the director of the Binational Center of Human Rights. The interview took place in July 2017 in Tijuana, Mexico.

1. Assuming that this is a humanitarian crisis, what makes the present Haitian crisis different than previous crises that have affected Tijuana?
2. What do you think are the challenges of city of Tijuana in face of the Haitian Crisis?
3. Given your expertise in migrant populations in Tijuana, what do you think are the challenges of the Haitian population living in Tijuana?
4. How effective do you think has been the local governments and organizations response to this particular humanitarian crisis?
5. What has been the response by the Binational Center for Human Rights in Tijuana?
6. Have you provided any services to this particular population?

APPENDIX C

INTERVIEW QUESTIONS TO GRUPO BETA DIRECTOR

The following questionnaire was employed to interview the director of Grupo Beta Tijuana. The interview was conducting in Spanish.

1. Assuming this is a humanitarian crisis, what makes the Haitian crisis different to other crises that have affected Tijuana?
Asumiendo que esta es una crisis humanitaria, que hace a la crisis de los Haitianos diferente a otras crisis que hayan afectado a la ciudad de Tijuana?
2. What are the main challenges the city of Tijuana faces a cause of the Hatian Migrant crisis?
¿Cuáles son los principales retos para la ciudad de Tijuana a consecuencia de la crisis de los migrantes Haitianos?
3. How does the Hatian Migrant Crisis challenge the Mexican Migration Law of 2011?
¿Cómo es que la crisis de migrantes Haitianos esta retando a la Ley Mexicana de Migracion del 2011?
4. How is the Mexican Institute of Migration handling the crisis? What are your main challenges as a government instituion?
¿Cómo esta el INM enfrentando la crisis? ¿Cuáles son los principales retos de esta institución` gubernamental?
5. How is the collaboration with US immigration authorities? How effective has it been effective?
¿Cómo es la colaboración con las autoridades migratorias de Estados Unidos?
¿Qué tan efectiva ha sido?
6. How do you think the newly elected US government admistration is going to affec the Haitian migrant crisis at the US Mexico border?
¿Cómo cree que la nueva administración de Estados Unidos va afectar la crisis de migrantes Haitianos en la frontera entre México y los Estados Unidos?

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